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MINUTES OF THE MEETING OF THE CITY COUNCIL

Wichita, Kansas, January 26, 1999
Tuesday, 9:00 A.M.

The City Council met in regular session with Mayor Knight in the Chair. Council Members Cole, Ferris, Gale, Kamen, Lambke, Rogers; present.

Chris Cherches, City Manager; Gary Rebenstorf, Director of Law; Pat Burnett, City Clerk; present.

The invocation was given by Very Reverend Paul O'Calloghan, St. George Eastern Orthodox Church.

The pledge of allegiance to the flag was participated in by the Council Members, staff, and guests.

Minutes --
-- approved

The minutes of the January 12, and January 19, 1998, meetings were approved 7 to 0.

AWARDS AND PRESENTATIONS

City Arts

America's Crown Communities Award - City Arts, was presented.

Proclamation

Mayor Knight presented the proclamations previously approved.

PUBLIC AGENDA

(Item No. 1)
Greg Brumley

Comments by Greg Brumley.

Greg Brumley said he had requested, and had been denied, access to citizen complaints regarding bus services and bus drivers. Mr. Brumley also said bus drivers should be required to wear ID badges.

Mayor Knight

Mayor Knight suggested Mr. Brumley approach the Transit Authority Board and request copies of complaints.

UNFINISHED BUSINESS

(Item No. 2)
DP-233 AND Z-3287

DP-233 - REQUEST FOR THE APPROVAL OF THE HIGHLAND SPRINGS C.U.P.; AND Z-3287 - REQUEST ZONE CHANGE FROM "SF-6" SINGLE-FAMILY RESIDENTIAL TO "LC" LIMITED COMMERCIAL, "GO" GENERAL OFFICE, AND "B" MULTI-FAMILY, GENERALLY LOCATED SOUTH OF CENTRAL AND WEST OF 135TH STREET WEST. (District V)
Continued from November 10, 1998.

Marvin Krout

Director of Planning reviewed the Item.

Agenda Report No. 98-1087.

MAPC Recommendation: Approve the rezoning and C.U.P. only for the area including and south of the proposed Central right of way, subject to revised conditions.

CPO Recommendation: Failed.

Staff Recommendation: Approve, subject to Conditions.

The applicant is requesting a zone change from "SF-20" to "LC" Limited Commercial and the establishment of the Highland Springs Community Unit Plan on property located south of Central and west of 135th Street West.

This 12 acre unplatted tract, as initially proposed by the applicant, would contain a net of 8.0 acres for office and

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commercial uses, divided into six parcels ranging in size from .81 to 2.57 acres. Central Avenue, west of 135th Street West, would be realigned from its present location along the section line to the south, beginning approximately 570 feet west of the present intersection of Central and 135th Street West. Central west of 135th Street West would then align at 135th Street West with Central Avenue east of 135th Street West, approximately 215 feet south of the present day intersection, eliminating the current "jog" at 135th Street West. The applicant and the owner of the property north of existing Central will have to agree to the vacation of the existing Central Avenue.

Parcels 1 (1.15 acres) and 2 (.87 acre) of the Highland Springs CUP would be north of the realigned Central Avenue. Parcels 3 (.81 acre), 5 (2.28 acres) and 6 (2.57 acres) would be on the south side of realigned Central Avenue, and Parcel 4 (1.21 acres) would be south of Parcel 3, along 135th Street West. As originally submitted the applicant proposed to limit the uses of the six parcels to those uses permitted in the "LC" district except for the following: adult entertainment establishments, group homes, group residential, halfway houses, correctional placement residences, private clubs, taverns, and drinking establishments. Restaurants that serve liquor could be developed, as long as food is the primary service of the establishment. Parcel 4 would also not permit service stations, convenience stores with gas islands, restaurants with drive-in or drive-thru facilities and vehicle repair. Each parcel would be limited to one building, except Parcel 5 and 6 would have a maximum of two buildings. A masonry wall would be constructed along the north property line as well as the west and south property lines adjacent to single family homes and zoning, and a 30 foot landscape reserve provides a further buffer along the south and west lines. All signs, as proposed by the applicant, would be monument type signs and would be limited to 80 percent of the frontage and 20 feet in height. Access controls are consistent with recommended standards. The applicant's willingness to dedicate right of way for the realigned Central through his property is contingent on the approval of his development request.

This site is surrounded by undeveloped land to the north. A preliminary plat was approved on the property south and west of this site for single family homes but has not been finalized. One single-family home currently exists just south of Parcel 4. Single-family homes exist to the east across 135th Street West.

CPO 5 voted unanimously to deny this request at the August 26th hearing. Approximately 45 area residents were present at this meeting to voice their opposition to the request. Their concerns were as follows: a) area residents will receive no "benefits" should the request be approved; b) the proposed realignment of Central could create a dangerous situation for motorists; c) there was a lack of advanced notice from the applicant and MAPC staff; d) if approved, the owner would be given too much control over the lives of adjacent property owners; e) lack of "assurances" from the developer should the proposal be approved; f) lack of information regarding the overall plans for the 438 acres; g) potential for increased traffic congestion; h) inaccurate information was received from MAPD staff; and I) there are too many "inconsistencies" associated with the project.

At the August 27th MAPC hearing, the applicant and several neighbors spoke about this request. The action of the MAPC was to defer this request for a month to allow for these individuals and City staff to meet and discuss this request. The applicant's agent met twice with neighboring property owners after the original MAPC hearing. The Planning Director, City Engineer, District Council member, and CPO representatives also attended one or both of these meetings. At the first meeting, residents pressed for an evaluation of moving the alignment of Central east of 135th Street to the north, along the section line, rather than in its current alignment that veers to the south. The owners of large tracts east and west of 135th Street and north of the mile line were both present to voice their support for this option. The City Engineer presented a drawing and calculations showing how it would cost an estimated \$960,000 more to relocate the road in that manner.

Homeowners from Rainbow Lakes also continued to express their opposition to any amount of commercial development, and did not engage the agent in a discussion on how the applicant might be able to mitigate the impact of his proposed development.

At the October 15th MAPC hearing, the applicant's agent was present to speak about this request. Several neighbors also spoke in opposition to this request and stated the same opinions as discussed at previous hearings. The major concern of the neighbors was to move Central from its present day alignment to the north, along the section line. After much discussion, the Planning Commission voted to

approve this request, except Parcels 3 and 4 of the CUP shall be zoned "NO" Neighborhood Office instead of "NR" Neighborhood Retail. Protest petitions have been filed which cover 85 percent of the statutory notification area.

On November 10th, the City Council considered the request, noting that the applicant had offered to reduce the number of commercial-zoned acres to conform to the adopted policy. Based on this, the Council voted to return the amended application to the CPO and MAPC.

At the December 16th CPO hearing, the CPO Council failed to approve the request due to a moot vote. Four neighboring persons spoke in opposition to this request. The neighbors voiced similar concerns as previously stated and also asked for a deferral to let the applicant and them discuss this request and try to reach a compromise.

At the December 17th MAPC hearing, the applicant's agent discussed the revised request. Three neighbors spoke in opposition to the request. These persons addressed the same issues as at the previous meetings. After much discussion and several votes, the Planning Commission voted to approve a portion of the request, which included Parcel 3 for "GO" General Office, Parcel 4 for "B" Multi-family, Parcel 5 and 6 for 3 acres of "LC" Limited

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Commercial and the right of way for the realignment of Central Avenue as shown on the CUP. Parcels 1 and 2 would be left in the current "SF-6" district, and not included as part of the CUP. The primary concern with zoning these northern parcels for some Commissioners was related to the fact that this land is close to the creek and experienced flooding during the recent storm over the Halloween weekend.

Council Member Ferris Council Member Ferris said he had no interest in integrating flood studies into zoning issues. Flood management will be taken care of at another time.

>Motion -- Ferris moved that having reviewed the record of hearing before the MAPC and in accordance with Policy No. 10 of the MAPC previously adopted by this Board, and having reviewed the factors contained therein and the factors stated by the MAPC, that Parcel 4 remain as currently zoned, SF-6; Parcels 3 and 2 be zoned General Office and have architectural covenants requiring residential style buildings, and include all other restrictions as recommended; Parcels 1, 5, and 6 be zoned LC with all restrictions as recommended; and the Planning Department be instructed to forward the Ordinance for first reading when the plat is forwarded to the City Council.

Council Member Lambke Council Member Lambke said he thought flooding studies should come first with zoning applications, as the first step for approval.

Council Member Ferris Council Member Ferris explained that zoning is approved subject to platting if all other tests are met.

Council Member Cole Council Member Cole expressed concern regarding the amount of commercial development at this intersection.

Jack McIntyre Jack McIntyre, representing Dugan, said the requirement of dedicating Central and paving it at his cost would cause the problem to economically fall apart.

An extension of time is not wanted by Dugan.

-- failed Motion failed 5 to 2. Cole, Lambke - No.
(Six votes required to override the protest petitions.)

NEW BUSINESS

(Item No. 3)
IRB - WESLEY

REQUEST FOR A LETTER OF INTENT TO ISSUE HEALTH CARE FACILITY REVENUE BONDS, WESLEY RETIREMENT COMMUNITIES INC.,- LARKSFIELD PLACE. (District II)

Allen Bell Financial Projects Director reviewed the Item.

Agenda Report No.99-045.

On March 8, 1994, City Council approved issuance Health Care Facility Revenue Bonds Series III, 1994, in the amount of \$18,000,000. Bond Proceeds were used to refund the City's Health Care Facilities Revenue Bonds, Series IV, 1987 (Wesley Retirement Communities, Inc.), to finance other indebtedness of Larksfield Place, and to purchase and construct additional campus improvements. Larksfield Place now wishes to refund the Series III, 1994 Bonds and issue new bonds to finance additional improvements at their campus located at 7373 East 29th Street North.

Larksfield Place, having operated for over ten years, is a not-for-profit comprehensive retirement facility. Retired persons reside in apartments or villas, and enjoy on-site recreation such as golf, swimming and fishing. Wesley Retirement Communities, Inc. is now requesting a letter of intent for Health Care Facilities Revenue Bonds in the amount not to exceed \$19,500,000 for the purpose of financing their 1999 expansion project. Bond proceeds will be used to refund the Health Care Facilities Revenue Bonds Series III-A & B, 1994; to purchase, construct and equip a 4,656 sq. ft. special care wing of the Health Care Center for dementia patients; to finance additional 3,000 sq. ft. of administrative office space and commons area; a 5,000 sq. ft. maintenance building; and cost of issuance. An analysis of the use of project funds is:

USES OF FUNDS

* Cost of refunding and redemption of 1994 bonds		\$17,685,000
* Purchase and construction of additions	\$ 1,250,000	
* Cost of Issuance	565,000	

Total Cost of Project:		\$19,500,000
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B.C. Ziegler and Company will underwrite the bond issue. The firm of Hinkle, Eberhart and Elkouri, L.L.C. will serve as bond counsel in the transaction.

Wesley Retirement Communities, Inc. has a current approved EEO/AA Plan on file with the City's Human Resources Department.

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Wesley Retirement Communities, Inc. agrees to pay all costs of issuing the bonds and agrees to pay the City's \$2,500 annual IRB administrative fee for the term of the bonds. Wesley Retirement Communities, Inc. is not requesting a tax exemption in connection with issuance of IRBs.

Mayor Knight

Mayor Knight inquired whether anyone wished to be heard and no one appeared.

Motion --

Kamen moved that the issuance of a six-month Letter of Intent to Wesley Retirement Communities, Inc. for Health Care Facility Revenue Bonds in an amount not to exceed \$19,500,000, subject to Standard Letter of Intent Conditions, be approved; and the Mayor be authorized to sign the necessary documents. Motion carried 7 to 0.

-- carried

(Item No. 4)

PRIVATE SECURITY

ORDINANCE AMENDMENT PERTAINING TO PRIVATE SECURITY OFFICERS.

Mike Watson

Police Chief reviewed the Item.

Agenda Report No.99-046.

In July of 1998, several amendments to the city's private security ordinance were adopted by the City Council. As a result of these amendments, some members of the industry asked that additional changes be considered, such as expanding the duties of the basic private security officer by allowing these persons to engage in patrolling activities, and creating a separate classification of permit for private security officers that operate armored cars. In addition, police staff and Council member Kamen have suggested further changes relating to the training and qualifications of private security officers.

The proposed amendment allows a person who obtains a basic private security officer permit to engage in patrolling activities upon completion of defensive driving training. Presently, patrol activity is restricted to persons who hold an advanced private security officer permit. Representatives from local private security services proposed this change, noting that since vehicle patrol is a major portion of their services, requiring their employees to complete the advanced training before being able to engage in vehicle patrol was causing a major hardship for their business. Persons holding a temporary permit will also be able to engage in vehicle patrol, but only upon completion of defensive driving training.

The proposed amendment also creates the new classification of armored car private security officer, and was requested by representatives of the industry. The change allows for a special course of training for these officers and provides that they may be granted a permit by the chief of police to be armed with either a handgun or shotgun while performing their duties.

The changes recommended by staff: (1) more clearly define the term "private security officer"; (2) allow juvenile offenses to be considered in determining a person's eligibility for a private security officer permit; (3) clearly define and update the definition of the term "morals charge"; (4) allow the chief of police to extend the 90 day period within which a person must complete the appropriate private security training course; (4) allow the chief of police to extend a 90 day temporary permit; (5) allow the chief of police to waive the training requirement for good cause; and (6) make general changes to reconcile inconsistent language throughout the ordinance.

The changes recommended by Council member Kamen prohibit a person who is under indictment, charge or information for a felony, morals charge, weapons charge, crime of violence or crime involving the threat of violence from obtaining a private security permit. Further, a person with a private security permit would be subject to having that permit suspended or revoked if indicted or charged with any of these crimes. Under the current ordinance, only convictions of these crimes are considered for such purposes.

Gary Rebenstorf

Director of Law, responding to a question, explained that different courts use different terms, sometimes called "terms of art," which are included in the Ordinance. The use is to cover legally charged persons and to cover legal definitions that apply in different courts.

Mayor Knight

Mayor Knight inquired whether anyone wished to be heard and no one appeared.

Motion -- carried

Kamen moved that the Ordinance be placed on first reading. Motion carried 7 to 0.

ORDINANCE

An Ordinance amending Sections 3.72.010, 3.72.020, 3.72.030, 3.72.055, 3.72.130, 3.72.140, 3.72.210 and 3.72.340 of the code of the city of Wichita, Kansas, pertaining to definitions, qualifications, classifications of permits, training and revocation of license, all relating to private security officers, armored car private security officers, and private security services, and repealing the originals of said sections, introduced and under the rules laid over.

(Item No. 5)

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SANCHO HOME

REQUEST FROM THE SEDGWICK COUNTY AREA NON-PROFIT COMMUNITY HOUSING ORGANIZATION (SANCHO) FOR HOME FUNDING. (District I)

Tom Smith

Finance Department reviewed the Item.

Agenda Report No. 99-047.

The Sedgwick County Area Non-Profit Community Housing Organization (SANCHO) is a Community Housing Development Organizations (CHDO) as defined under the federally funded HOME Investment Partnership Act program. The announced mission of this organization is to assist low income disabled persons with their housing needs and facilitate home ownership opportunities for low income disabled persons through the "Home of Your Own" program. The SANCHO organization is the only CHDO that focuses exclusively on the housing needs of the disabled community.

The City Council has previously allocated a total of \$177,000 in HOME funds for renovation of the Market Street studio apartment complex located at 833 South Market. This project is within 30 days of completion and which, when completed, will provide 23 units of affordable housing for low income disabled Wichita residents.

A request for funding has been made to maintain this organization and to allow it to complete its mission of providing housing for the Wichita-Sedgwick County disabled community.

Due to recent changes in funding at the State level, SANCHO has lost its operating funding for 1999. The Kansas Council for Developmentally Disabled which previously funded SANCHO operating costs for the past three years, has shifted State funding to rural areas only. In addition, since SANCHO donated its developer fees toward its Market Street project and is not earning any revenue from the project. SANCHO has applied for operating funding from the National Alliance for Home of Your Own, United Way of the Plains, VISTA, Koch Foundation, Star Lumber and the Coleman Company. Unfortunately, these efforts to seek funding support was without success. The loss of operating funding could place at risk the City investment in the Market Street apartments and result in the loss of the only HOME Community Housing Development Organization (CHDO) targeting the housing needs of the disabled.

Staff was assigned to work with SANCHO, the U. S. Department of Housing and Urban Development (HUD) and the Enterprise Foundation to develop a plan in an attempt to stabilize the agency. Based on preliminary agreements with all of the parties, an

action plan has been developed which will require the SANCHO organization to complete a number of action steps as a condition of funding.

Provided SANCHO completes the prescribed "recovery plan" in accordance with an established timetable, it is recommended that the City Council allocate \$17,500 in HOME funds to be matched dollar for dollar by HUD Technical Assistance funds through the HUD Kansas City office. HUD will provide at no cost, a consultant from the Enterprise Foundation to assist SANCHO in meeting the action steps. The Enterprise Foundation Consultant will work closely with SANCHO in order to address immediate priorities, including: (1) successful completion and lease-up of the apartment project; (2) short-term funding; (3) possible merger/affiliation with the Independent Living Resource Center; and (4) completion of an organizational assessment. The consultant will continue to work with SANCHO the next few months to develop a long-term strategic plan for the organization and to provide guidance to the organization with respect to identifying other fund-raising avenues.

The requested funding from the City and HUD will total \$35,000 and will be sufficient to continue SANCHO operations for six months. HUD will provide \$17,500 from HUD National Technical Assistance funding. The City is requested to match this amount with City HOME funds in the amount of \$17,500 from unallocated HOME funds.

If the request is approved, operational funding will be provided in compliance with HOME regulations, and funding agreements will be approved as to form by the City's Law Department. Funding would be proportionally released to SANCHO as the action steps are completed.

Council Member Ferris left the Bench.

Mayor Knight

Mayor Knight inquired whether anyone wished to be heard and no one appeared.

Motion --

Rogers moved that matching HOME funds in the amount of \$17,500 be approved, Staff be authorized to negotiate appropriate agreements; and the Mayor be authorized to sign the necessary documents. Motion carried 6 to 0. (Ferris absent)

-- carried

(Item No. 6)

SPECIAL LIQUOR TAX 1999 SPECIAL LIQUOR TAX FUND ALLOCATIONS.

Council Member Ferris present.

Cathy Holdeman

City Manager's Office reviewed the Item.

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Agenda Report No. 99-048.

The evaluation standards for programs receiving special liquor tax funds is in transition and moving to an "outcomes-based" evaluation system. Beginning in December, 1997, the City contracted with Wichita State University Hugo Wall School to work with funded agencies to develop outcomes and measures to evaluate achievement and performance. Anticipating a two- year transition period, Staff recommended, and the Council approved, writing 1998 contracts with an option for a one-year renewal.

The Wichita Sedgwick County Alcohol and Drug Abuse Advisory Board (ADAAB) was provided copies of the consultant's work product which assessed each agency's strengths and weaknesses in developing outcome-based measurements. As a part of the review, the Board was encouraged to consider how the services that are provided actually made a difference in addressing alcohol and substance abuse problems. The consultant's report noted the continuum of services provided from prevention, intervention and treatment, and the populations served in each area.

At a December meeting with the providers, the Board discussed the outcome-based measurement work products. In some cases, providers were asked for further clarification and to better quantify the measurements. Providers responded and submitted information to the Staff for further review. (Some agencies still need to further refine the measurements to include more specific target populations and their agencies impact on clients served as well as the impact on the larger community).

Recognizing that 1998 is a transition year, and that providers were asked to initiate a new way of thinking about service delivery, Staff and the ADAAB Board, felt it was too early to change funding allocations.

The ADAAB Board's recommendation provides that the City exercise the renewal option for funding agencies in 1999, at the 1998 level, during the transition year, and: (1) incorporate the outcomes to be achieved into the contracts; (2) require quarterly outcome evaluation reports; and (3) closely monitor outcome achievement and make adjustments, as necessary.

In addition to the ADAAB review of providers, the newly created United Way Planning Committee reviewed the City's process and funding requests. This group has representation from the major funders (City, County, School District, United Way, foundations, SRS) along with other major institutions such as the K.U. Medical School, and Wichita State University. Its purpose is to provide a larger and community-vision for on resource allocation; recognize duplicate efforts by agencies; assist with providing linkages between agencies, etc. The Planning Group did not have sufficient information to make a recommendation on funding this year, so it took no formal action on making recommendations about the proposed funding allocations. It did, however, comment that it supported the City's process to develop outcomes-based measurements and to share its information with the larger community.

Recognizing the ADAAB Board's recommendation, and expanding upon the need for accountability for Special Liquor Tax Funds, the following Transition Plan is proposed:

Allocate funds to agencies for the first quarter of 1999. During this time period, the City will retain the services of the WSU Consultant to work with providers and finalize outcomes-based measurements for each agency.

Those agencies successfully defining outcomes-based measures by the end of the first quarter of 1999, will be able to continue with funding for the duration of the year. However, agencies will be reviewed on a quarterly basis to assess if the defined measures and strategies are achieving results. Funding will be discontinued to those agencies who fail to develop appropriate outcomes-based measurements.

During this first quarter of 1999, the City Council will address policy issues associated with the allocations of the Special Liquor Tax Funds and provide direction on priorities for funding, e.g., the populations served, funds to prevention programs versus treatment programs; defining the negative consequences associated with alcohol and substance abuse which should be addressed, targeting funding versus a broader allocation of funds, etc.

Council priorities will be shared with ADAAB members so that this advisory board can provide better guidance and direction to substance abuse providers.

During 1999, providers will be evaluated by the ADAAB Board on a quarterly basis to determine if programs are successfully addressing the defined outcomes based measurements. The consultant will be retained to assist the Board with these evaluations.

Prior to June 1999, the City Council will examine the structure of the ADAAB Board and seek representation to the board from service systems such as: the court system (judges, probation and parole officers, prosecutors, etc.); employers and benefits managers; Social Rehabilitation Services; hospitals and the medical community; mental health professionals; policy leaders (local and state); and others.

During the last quarter of 1999, an RFP will be initiated offering funding for programs which address City Council priorities for the use of Special Liquor Tax funds.

Upon determination of allocations by the City Council, contracts for the period January 1, 1999, through December

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31, 1999, will be developed and approved as to form by the City Law Department.

Council Members Kamen and Gale momentarily absent.

Mayor Knight	Mayor Knight inquired whether anyone wished to be heard.
Claire Korst	Claire Korst, Bib Brothers/Big Sisters appealed to the Council to increase their funding by \$30,400 to enable leveraging of additional funds which would assist in prevention of high risk youth from drug abuse.
Nick Mork	Nick Mork said he supports outcomes initiative. There is urgency in the Big Brothers/Big Sisters request as matched youth are 50 to 70 percent less likely to initiate drug and alcohol use.
Sylvia Farmer-Drew	Sylvia Farmer-Drew said as many as 54 percent of at risk children come from families with alcohol/drug addictions.
Ron Turzian	Ron Turzian, Promise Alliance for Youth, urged approval of the Big Brothers/Big Sisters' request for additional funding.
Margalee Wright	Margalee Wright also urged approval of the Big Brothers/Big Sisters' additional funding request.
Chuck	Chuck spoke in support of the Big Brothers/Bib Sisters' request.
Council Member Cole	Council Member Cole said the school system survey will give much better knowledge of where the at-risk youth are located. There were also agencies that did not have expertise to complete the requests.
Council Member Rogers	Council Member Rogers spoke in favor of treatment rather than prevention.
Council Member Kamen	Council Member Kamen said prevention is important and the City should also continue to look for effective treatment plans.
Motion --	Rogers moved that the proposed Transition Plan be approved; the ADAAB recommendations for 1999 Special Liquor Tax funds be implemented; the additional \$30,400 Big Brothers/Big Sisters funding request be granted; Staff be authorized to negotiate contracts; and the Mayor be authorized to sign the appropriate documents. Motion carried 7 to 0.
-- carried	

(Item No. 7)

NEIGHBORHOODS

NEIGHBORHOOD PRESERVATION/CONSERVATION.

Misty Bruckner Assistant to the City Manager reviewed the Item.

Agenda Report No. 99-050.

Over the years, the City has made significant improvements to improve the City and its quality of life. In 1993, a concerted and focused effort was made to establish partnerships with neighborhoods to make Wichita the safest cities in America. Various strategies were developed within the Neighborhood Initiative to address not only public safety and economic concerns, but to improve the physical appearance and the revitalization, preservation of neighborhoods as well.

Neighborhood revitalization and conservation efforts included the initiation of community policing in targeted areas, increased inspection and enforcement of neighborhood nuisance and housing violations, implementation of the Neighborhood Assistance Program; participation in neighborhood cleanup programs, initiation of a Neighbor-to-Neighbor code enforcement program, allocation of funds for a Neighborhood Playground Fund; establishment of the Neighborhood Patrol Program; and a variety of other neighborhood-oriented programs, including graffiti removal, CLEAN Team. additional street lighting, neighborhood/environmental court, Neighborhood Centers, youth programs, and others. Since the implementation of these many programs, more emphasis has been placed on public safety and significant resources have been added to police, housing and code enforcement activities.

Focusing on neighborhoods as a top priority have resulted in a decrease in crime; neighborhood associations growing from five (5) to over eighty-five (85) in number; increase in housing and environmental code cases and number of properties in compliance; over \$37,000 was allocated in matching funds for playground improvements; and over 90 neighborhoods participating in the Neighborhood Clean-up Program (in 1998). In addition, more citizens are now involved in their neighborhoods than ever before and numerous specific neighborhood improvement programs have been implemented.

Still, much remains to be accomplished as efforts to upgrade, preserve neighborhoods continue.

Recently, Council Member Lambke has indicated that he feels these and other neighborhood efforts should be considered for expansion, including neighborhood truck parking, restrictions on storage (parking) of junk vehicles, upkeep of rental properties, nuisance abatements, and other matters. In September, 1998, the City Council

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considered these and other of issues and directed that various programs/projects be evaluated and returned to the City Council for consideration.

The items following are those that have been received from neighborhood groups, CPO Councils, City Council members, City Council members, and/or suggested by City Staff.

1) Coordination with Neighborhood Associations

The issue of coordination of requests, particularly between Neighborhood Associations and the CPO Councils was seen as an increasing concern and where an overall plan to coordinate requests and projects is needed. Currently, all neighborhood associations/groups receive the agendas for the CPO for their respective district. Some neighborhood associations take the opportunity to regularly report or interact with the CPOs, and many CPO members are also active in neighborhood associations. However, there is not an effective procedure or process that neighborhood associations are required to follow.

Recently, the City Council established a Citizen Involvement Task Force to study the current citizen involvement and neighborhood process and address the relationship, communication and interaction among the residents, neighborhood associations, the CPO councils, other organizations and groups, including the development community, and the City Council. The Task Force is expected to complete its task and submit its recommendations to the City Council in six months.

2) Grass/Weed Nuisances

A common concern voiced by neighborhoods during the summer months is high grass/weeds. Staff was asked to review the current 18-inch maximum height requirement for mowing tall grass and weeds. This situation continually results in numerous complaints from residents during the summer growing season, particularly from persons with allergies or from next-door neighbors (from violators) who take pride in the landscaping of their yards

Twenty-one (21) cities responded to a Staff survey for information about grass/weed heights and nuisance abatement. Eight cities (8) report the maximum height of grass for a residential lot is 12-inches or more. Those cities are: Boulder, CO; Charlotte, NC; Corpus Christi, TX; Des Moines, IA; Fort Worth, TX; Norman, OK; Oklahoma City, OK; and Tulsa, OK.

Eleven (11) cities report a maximum height of 10-inches or less for residential lots. Those cities are Davenport, IA; Dubuque, IA; Fort Collins, CO; Lakewood, CO; Lincoln, NE; Louisville, KY; Marion, IA; Phoenix, AZ; Portland, OR; St. Joseph, MO; and St. Louis, MO. Two (2) cities, Ames, IA and Toledo, OH, report no ordinance specifying maximum height, but it is left at the discretion of the City inspector.

Currently, the Environmental Heath Staff inspects an average of 2,500 properties annually (1,400 complaints and 1,100 self-initiated). Of those found in violation of the height restrictions, 950 require mowing through the City's nuisance abatement program. [Under this procedure, property owners are billed or assessed for the cost of the mowing.] An annual average of over \$100,000, is spent on the contract mowing abatement program, including inspection and enforcement time. Any change in lowering the height requirement could result in the need for additional Staff to meet the increase in demand and/or re-evaluating the mowing contract.

The City Council can retain the current ordinance restrictions or specify a desired grass/weed height guideline. If the height is reduced, an ordinance change will be required. If the height is reduced, the Council should indicate whether it wishes to increase funding for this abatement program.

3) Porch Ordinance

A growing concern being expressed by residents and neighborhoods is the storage of furniture on front porches. In some areas, this practice has greatly diminished the image of neighborhood blocks and created complaints from adjacent residents. This practice is often found in rental properties where indoor furniture is placed on the porches. In response to the growing complaints, the Health Department issues approximately 8,000 citations/year for environmental code violations (i.e. trash, junk cars, tall grass and weeds, external storage and debris), which includes violations on the porch of a dwelling. Under current City code, if the furniture on the porch or outside is broken (leg missing, upholstery torn, stuffing emitting, etc.), and there are complaints, Health inspectors will issue a notice of violation. If the furniture is not broken and is not in violation of standards (above), Staff will not issue a citation.

The Office of Central Inspection personnel will include broken down furniture on the porch in the notice of violation, if inspectors are already on the premises regarding problems/violations with the property. Inspectors will not issue a notice only for the furniture on the porch. Determining what is appropriate porch furniture - - meaning furniture intended for interior versus exterior use - - can be subjective and create problems in the enforcement of the ordinance.

Of the 14 cities surveyed, only two have provisions in its City codes to deal directly and specifically with furniture on front porches.

* Concord, NC has a housing code which reads, "No occupant shall maintain, store, use, or operate interior furniture

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or appliances on the exterior of a dwelling or dwelling unit.”

* Portland, OR, code states that certain articles, specifically interior furniture, are prohibited on front porches. Notice is given and a certain number of days are allowed for getting rid of the articles or taking the items inside the dwelling. Failure to comply results in the City removing the articles, hauling them off, and assessing the homeowner the costs for removal.

Four (4) cities have ordinances similar to Wichita that could be utilized to guide an ordinance revision, if desired by the City Council. These ordinances provide citations for broken down, uncovered furniture, but only when other more serious violations exist on the premises. Six (6) cities do not have a “porch” ordinance; however, these cities do have various groups, such as “community development” or “community service” groups that mow and clean properties and often deal with problems on an informal basis. Two (2) cities permit the use of indoor furniture outside when the area has a roof or covering.

The City Council should decide whether to continue with current practices or direct a more restrictive change in the ordinances, specifically addressing “interior furniture not being permitted on the exterior of the dwelling.”

4) Storage of Vehicles

Some months ago, Staff worked with a group of citizens to review concerns of the amount of excessive storage of vehicles in residential areas. Although residential zoning code does not specifically allow cars to be stored, the Superintendent of OCI has the ability to grant accessory uses. The zoning code does allow for the storage of recreation vehicles (RVs, boats, trailers) on the premises. For many years, the reality of storing vehicles has been: (1) there is no limit on the number of operable vehicles that can be stored in the rear or side yards (inoperable vehicles have not been allowed to be stored in any yard); and (2) operable vehicles can be stored in side or back yards on unpaved areas.

To determine how citizens felt about the current codes on vehicle storage, a survey of neighborhood associations was undertaken on behalf of the citizens group. Following discussions on the problems being encountered, the citizens group recommended that the City:

- A) Restrict storage of operable vehicles to back yard; except if no access to rear yard, side yard may be used for storage;
- B) Limit the number of stored operable vehicles to two;
- C) In lieu of screening or surface requirements, include a “maintenance clause” in the ordinance which stipulates that the area around the stored operable vehicle must be kept free of trash and tall grass, and underneath the vehicle be clear of debris;
- D) Allow a three month education and compliance period after the revisions are approved by the MAPC, City Council, and the County Commission.
- E) After the three-month period, and if a violation notice is issued, allow 30-days in which to comply. Non-compliance would result in a fine of an amount that will deter future violations. No “grand fathering” will be allowed.

There are numerous examples in cities across the nation dealing with the storage of vehicles, the most restrictive codes are usually found in suburbs and in cities that have strong nuisance abatement standards. The City Council has various options to consider regarding the storage of vehicles, including, but not limited to:

Option 1 - Do nothing. Continue with current practice of allowing operable vehicles to be stored in side or backyards with no limits.

Option 2 - Limit storage of vehicles to the backyard, unless there is not backyard access, and allow for two vehicles (including RVs, boats, cars, trailers) to be stored. Do not require screening or surfacing requirements.

Option 3 - Interpret the Zoning Codes to restrict the storage of vehicles in residential areas; there are provisions for recreation vehicles, boats and trailers, but that such storage is not allowed in the front yards.

Option 4 - Limit storage of vehicles to the backyard only, unless there is no backyard access, and allow for two cars to be stored. Leave the current provisions for recreation vehicles, boats, and trailers.

The City Council should select an option and direct Staff to draft any necessary zoning code changes.

5) Towing Inoperable Vehicles

The citizen group that studied and reviewed the ordinances dealing with the storage of vehicles also strongly

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endorsed the towing of inoperable/abandoned vehicles from private property - after proper notification is given and the vehicle has not been removed or properly stored. The current practice is to only tow vehicles from "vacant" property. The practice for occupied properties is to issue citations and file the case in the environmental/neighborhood court. This practice often results in delays while the problem vehicle(s) remain in the neighborhood.

An ordinance change is not required, but this would be a change in City policy and in current code enforcement practices.

6) Roving Inspector

Council Member Lambke has suggested that the City Council consider the concept of "roving neighborhood inspectors" to expand the enforcement of housing, nuisance and environmental code violations. The main focus of a roving inspector program would be to make the inspection process more pro-active. Currently, the six (6) Health Department Inspectors initiate approximately 15% of the 8,000 annual cases. Twelve (12) OCI neighborhood inspectors initiate approximately 40% of the approximate 1,400 new housing cases (total housing inspections average 23,000), and an estimated 65% of the 3,100 zoning cases.

The employment of additional roving inspectors, while increasing the number of self-initiated cases and assisting in identifying and resolving issues before they become neighborhood complaints, may not be a productive or efficient use of time. If such inspectors were to follow-through on all cases initiated, inefficiencies could be created by the distances and long drive-times (between locations), and the required court case testimony at several different substations on several different nights each week.

If the City Council wishes to expand its neighborhood enforcement, an option would be to hire additional housing and health/sanitation inspectors and decrease the size of the inspection areas. The average cost for hiring an additional inspector, including salary and benefits, is \$37,000-\$44,000. This cost is exclusive of the additional expenses for vehicles, work space and commodities utilized.

With the implementation of City-wide community policing, Neighborhood Patrols, Neighbor-to-Neighbor Code Endorsement teams, and the assignment of inspectors to various quadrants of the City, the reporting of code violations and nuisances have been increasing with resulting nuisance abatements and environmental/neighborhood court actions addressing many complaints.

City Council should direct Staff to either: (1) develop a roving inspector program to bring back to Council; (2) include additional inspector positions for the 2000-2001 budget; (3) continue the current inspection program with existing Staff; re-emphasize importance of self-initiated cases and work with neighborhood associations/groups to continue to spot violations and take enforcement actions.

7) Rental Inspection

Various rental inspection programs have been proposed over the past ten years, but none have been supported by the governing body. Still, interest continues from a number of neighborhood groups who feel that some rental properties are not being maintained to meet current codes and safety/sanitation conditions. One of the main goals of such a program is to decrease the overall level of housing code violations by establishing minimum standards to preserve and promote the public health and safety and enhance the appearance and quality of neighborhoods. Some cities have enacted rental housing codes that require rental properties to be registered, rated and re-inspected on a cyclical basis.

Numerous communities have implemented similar programs and information is available on many rental inspection programs. The successful programs normally take several years to fully implement and obtain tangible results. Initiation of a rental inspection program is Staff intensive, considering there are approximately 60,000 rental units in Wichita. The City's housing and census data indicates that between 12,000-15,000 of these units may be in substandard condition.

Alternatives for a rental inspection program could include inspection of older rental units, such as properties over 30 or 50 years of age; or registration of only those properties placarded as unsafe or cited for previous violations. (

Before the City Council considers whether or not it wishes to pursue such a program, it is suggested that a Review Committee be established (comprising the rental industry, tenant advocates, representatives from CPO Councils and neighborhood representatives) to evaluate the issues and concerns and make recommendations on options that may be available to address these conditions. [It should be noted that previous Housing Committees have not recommended the City become involved in such rental property enforcement programs.]

The proposals outlined in this report involve various legal issues that would be addressed at the time the City Council wishes to take action(s) to implement.

Financial considerations involved with the programs will be presented on the options the City Council wish to address.

Mayor Knight momentarily absent with Vice Mayor Gale in the Chair.

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Council Member Cole momentarily absent.

Council Member Kamen left the Bench.

Council Member Rogers Council Member Rogers spoke of concern that the ordinance might detract from individual freedoms.

Council Member Cole Council Member Cole said the recommended porch ordinance and others are an attempt to deal with older and rental properties. City inspectors have indicated that the current ordinance is not specific enough to be of much help. This would give the City a way to keep what is happening from continuing. There needs to be a way to insist that some things happen to clean up properties. A larger danger is in not requiring some changes.

Council Member Lambke Council Member Lambke expressed preference for a workshop to decide which items to push for. There is a limit to enforcement but the City can push for some clean up provisions. Rental properties seem to be the greatest source of problems.

Council Member Kamen present.

Mayor Knight Mayor Knight said homeowners deserve support in trying to maintain property values. Property can decline with disconcerting swiftness.

Council Member Gale Council Member Gale said he was interested in the possibility of increasing the number of inspectors. Preference would be for smaller inspection coverage areas rather than adding a roving inspector.

Council Member Gale also encouraged neighborhood participation and policing by neighborhoods.

Council Member Cole Council Member Cole said OCI Staff is out some weekends and evenings. Hopefully, provisions can be made to have more people on weekends and evenings on a regular basis.

Council Member Rogers Council Member Rogers spoke in favor of a workshop session.

Mayor Knight Mayor Knight inquired whether anyone wished to be heard.

Sharon Feary Sharon Feary, 1323 North Emporia, said neighborhood associations help maintain neighborhoods. Several of the recommended ordinances would help. Lowering the height requirement would be helpful with overgrown grass and weeds. The language should be changed for porch enforcement. Ms. Feary urged approval of Option 2 regarding storage of vehicles, and said she would like to see a change of the policy allowing inoperable vehicles towed from private property after proper notification.

A roving inspector might be inefficient. More inspectors is a good idea.

Rental inspections could be of benefit but might not be easily enforceable.

Motion -- Cole moved that the City move forward with the proposals and suggestions; Staff return in a workshop setting within thirty to sixty days.

Council Member Rogers Council Member Rogers said he would like to see some ordinances similar to the ones the City is talking about that have been "thrown out."

Council Member Kamen left the Bench.

-- carried Motion carried 6 to 0. (Kamen absent)

(Item No. 8) (Council Member Kamen present.)

MUNICIPAL COURT MUNICIPAL COURT JUDGES BI-ANNUAL REPORT.

Agenda Report No. 99-051.

Following the recommendations from the Municipal Court Task Force, the Municipal Court Judges are to make reports to the City Council. This is the first report from this Administrative Judge.

Julie Wright-Connolly Municipal Court Administrative Judge reviewed the Report.

Judge Connolly said that, although the past six months have seen their share of tensions due to changes in administration, crowded court dockets, and the jail overcrowding issue, this has on balance been a productive time, full of positive growth for the Court. The Municipal Court Task Team (composed of members from The Law Department, Police, Finance, Data Center, The City Manager and Court) continues to meet on a bimonthly basis to do thoughtful planning on issues affecting the Court. Among this group's contributions have been changes to Administrative Traffic Court and implementation of new docket schedules. The Municipal Court Judges began meeting on a regular weekly basis which has improved dialogue and consistency efforts. Court supervisors, the Court

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Administrator and myself continue to meet every other Wednesday to take stock of what we have accomplished and where we are headed. New dockets have been put into place and met with great success. Communication with the Wichita Bar Association is ongoing and productive. Intense collection efforts by Judges and Court staff have resulted in unprecedented revenues, adding \$1.27 million over budget in monies collected during the past fiscal year. The announcement that the City Council had approved a major remodeling effort was greeted with enthusiasm by everyone associated with the Court and its' functions.

In November, the new Court Administrator came on board which has improved morale and added a sense of stability to overall Court operations. In the report that follows, I will elaborate briefly on the major points of progress resulting from the hard work of Court staff and administration over these past six months.

The Municipal Court Administrator, Roger Clark, left this position in July 1998. A nationwide search for a new Court Administrator commenced immediately. Edna Johnson was hired to this post in November. Edna brings with her over 20 years experience, most recently as Court Administrator for the 14th Judicial Circuit Court of Florida. Edna's people skills were immediately apparent as she greeted her staff during her first days on the job. Staff have welcomed her with enthusiasm and already see her as a supportive advocate for the Court. Edna's knowledge of the budget process, her creative approach to problem-solving and her wealth of Court experience make her a welcome addition to City staff.

Administrative Traffic Court

The duties and authority of Hearing Officer Bruce Brown to decide and hear cases were significantly expanded when this Council approved an ordinance change at the Task Team's recommendation that allowed most traffic cases (except Drive under the Influence) to be processed through the Administrative Traffic Court. Now, instead of traffic dockets being segmented between judges and courtrooms, virtually all traffic matters are heard by one person in one place. This has eliminated confusing dockets and reduced the number of "lost" citizens looking for Court. It has also improved consistency in sentencing results and is a far more efficient use of the Hearing Officer's time. A prosecutor is assigned to the traffic dockets nearly full-time to facilitate on-site disposition of cases, following the "one-stop shopping" concept originally contemplated by the Municipal Court Task Force.

New Dockets

Once again, the docket scheme in Municipal Court has been reworked in an effort to keep pace with the ever-increasing volume of cases which inundate the system. Instead of the former rotation schedule whereby Judges change courtrooms and assignments monthly, each Judge has chosen a permanent "duty post" in an effort to bring some consistency into the adjudication process. In our current schedule Judge Barker handles all DUI's; Judge Connolly handles all Domestic Violence cases; and Judge Shull retains control of Drug Court. Judge Flaigle handles the Video Prisoner Docket and Bruce Brown sees the majority of the Traffic cases. The reaction to these changes from Court staff, attorneys and Police has been positive. Almost to the day the new dockets took effect on November 2nd, staff noticed a marked decrease in congestion on the third floor and a smoother ebb and flow of Court processes. Our thanks to the Law Department for presenting the initial "blueprint" for the docket scheme and to the Municipal Court Task Team for seeing it to fruition.

"New" Facilities

With the help of Cathy Holdeman from the City Manager's Office, the Court boasts the addition of a Temporary Video Courtroom located on the first floor of City Hall. The use of this space (by way of a "gift" from Chief Watson) has freed up valuable courtroom space and has helped ease our space concerns to some degree. Passersby can locate the Video Court Room by means of posted "Quiet, Court in Session" signage near the North first floor exits in City Hall.

Attorney Walk-In Docket

This docket offers a new approach to serving attorneys who use our Court system. Reaction from all sides has been positive. This docket is held daily at 1:00 pm in the first floor Video Courtroom. A Prosecutor assigned to the docket ensures that cases are disposed of quickly. Lawyers can schedule cases and have files pulled without waiting in line at the Clerk's Office freeing clerks to wait on other citizens. This docket has proved helpful to attorneys and to Judges, has reduced waiting time and has increased efficient use of Court time. It is an unqualified success.

Neighborhood/Environmental Court

The functioning of this court docket has been greatly improved since major changes in philosophy and protocol were implemented through the cooperative efforts of OCI, Health Department, City staff and Court personnel. From new signs in the substations stressing court decorum, to the announcement and docketing of cases by address rather than case name, several changes have helped to establish an atmosphere of respect and order on this docket. Retired Municipal Court Judge Cliff (Teno) Ratner is doing an excellent job as the Pro-Tem Judge assigned to this docket. He has been well-received by the citizens who use this Court.

Increased Revenues

Due in part to the continued effective service of warrants and the success of the "paperless" warrant system,

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Municipal Court revenues exceeded projected budget amounts this year by over \$1.27 million dollars. Total revenue through December were \$9,070,183; our highest revenue producing month was March, with \$865,174 collected through the Court. While collecting money is not our reason for being, increased revenue point to more effective enforcement of our court orders. It is important to the integrity of our Court process that defendants know we do mean business, and increased revenue are just a byproduct of strict enforcement policies. As such, they reflect a court that is beginning to command respect from its citizens.

Conclusion

Work is constantly underway to improve delivery of service in all the phases of the Municipal Court. Staff continues to struggle with increasing caseloads while finding creative means to address the problems that come with a high volume of cases. The work of the Municipal Court Task Team and the dedication of Court employees, both supervisory and line staff, have been instrumental in implementing some very positive changes for the Court in the past six months. The task is still herculean, but the trend is upward.

Motion -- carried

Knight moved that the Report be received and filed. Motion carried 7 to 0.

(Item No. 8a)

HUMAN SERVICES PLAN

REORGANIZATION PLAN FOR HUMAN SERVICES.

Cathy Holdeman

City Manager's Office reviewed the Item.

Agenda Report No. 99-083.

As part of on-going reviews of effective neighborhood-based service delivery, the Hugo Wall School of Urban and Public Affairs (Wichita State University) participated in an evaluation of Human Services operations at the Neighborhood Centers. These Centers house staff which administer job training and income support programs. The Hugo Wall report recognized that by its very nature, social service delivery is Staff intensive and carries a heavy administrative burden. It also noted that federal funds have been significantly reduced over the years, but Staffing levels have not reflected these program fund reductions; thus, there has been fewer funds allocated to direct services. This results in large amounts of time spent on paperwork and very few face-to-face meetings with clients to address services needs.

The WSU report also raised questions about the effective use of Neighborhood Centers for service delivery because neighborhood residents are not, necessarily, the target for the services offered; the findings of the report questioned if the remote locations may, in fact, impede service delivery rather than facilitate convenient availability of service. For example, the Job Training Partnership Act program staff are housed at the Centers, but serve clients in a six county area.

The Hugo Wall study, coupled with a 1999-2000 City Staff initiative to explore new, creative and more effective ways to provide services, was the catalyst for a more in-depth review of the Human Services operations. A comprehensive review was undertaken of other program areas including: the energy office which includes the weatherization program; planning and administration (which also includes allocation of the Special Alcohol Tax funds and homeless funds); civil rights and services; and housing activities, both the management of public housing and the administration of other housing initiatives.

The Human Services Department was created many years ago in response to the need to implement various services/programs funded directly from federal and state grants. Over the past years, some of the grant funds have experienced a significant decrease (JTPA, CDBG, CSBG, DOE, LEAP have collectively decreased 23% over the last 7 years). As funds decline and community needs change, it becomes necessary to examine the current service delivery system and evaluate whether there can be a more cost effective and efficient way to serve those in need.

A review of the current system found the following: (1) the method for service delivery is outdated; (2) there is high and unsupportable overhead cost with low output; (3) there is a dire need to be market-based and customer-oriented; (4) services provided need to be agile or adaptable; and (5) there is a need to be focused on measurable outcome measurements.. Additionally, a look at community trends shows that welfare reform is underway; managed care is taking a stronger role; privatization can be a cost effective means for services delivery; there is an emerging requirement for outcomes-based measurement; and there is a strong recognition that customers have more and more choices and are making market-based decisions. Based upon these and other factors, the proposed plan for a new organizational structure for Human Services was developed.

The proposed plan recognizes the new "Welfare to Work" program and couples this job placement effort with the existing JTPA program. Staff, formerly funded by CDBG and CSBG funds, are now under the funding of only these two programs, and together they help to address the continuum of job placement needs.

A privatization option is suggested for Weatherization Program funds. The State is willing to designate a new provider (there is an experienced provider already in Wichita); and there would be no loss of service to Wichita and Sedgwick County residents. Civil Rights and Services functions, and Staff associated with the Special Alcohol Tax

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allocations would remain, but Staff may be transferred to other departments.

A new Housing Department is proposed to be created which would merge all City housing activities into one department, including: public housing, Section 8 vouchers, housing development, home ownership, neighborhood revitalization, and neighborhood improvement services. Finally, with these changes, the Planning and Administration Division could be eliminated; however, Staff would be transferred to other City divisions and/or departments.

The proposed transformation plan for the Human Services Department has a number of advantages, including: (1) It makes available federal funds for other City Council and community priorities (funds from the CDBG and CSBG Programs can be reallocated); (2) It would reduce the high overhead costs and allow more funding for direct services; (3) It would more efficiently use staff as they would be grouped by like interests. (The plan proposes to maintain existing staff levels, but would not fill certain positions that are currently vacant); and (4) Efficiencies and more housing activities could occur by grouping all housing services into a new Housing Department. Finally, the proposed reorganization will provide the opportunity for better and more efficient service by using alternative delivery opportunities.

Under the Plan, human services will continue to be funded by the current income sources. The proposed Plan will make available CDBG and some CSBG funds for reprioritization by the City Council.

Mayor Knight momentarily absent with Vice Mayor Gale in the Chair.

Mayor Knight

Mayor Knight inquired whether anyone wished to be heard and no one appeared.

Motion --
-- carried

Knight moved that the transformation plan for the Human Services Department be approved. Motion carried 7 to 0.

CITY COUNCIL AGENDA

DESIGN REVIEW TEAM DESIGN REVIEW TEAM REPORT. (Requested by Council Member Ferris)

Motion -- carried

Ferris moved that this Item be deferred one week. Motion carried 7 to 0.

(Item No. 9)

TRAVEL/CANCELLATION APPROVAL OF COUNCIL MEMBERS' TRAVEL, MARCH 5-10, 1999, TO WASHINGTON, DC, **FOR** **OF COUNCIL MEETING NATIONAL LEAGUE OF CITIES CONGRESSIONAL CITY CONFERENCE.**

Motion --
-- carried

Ferris moved that the travel expenses be authorized and the City Council Meeting of March 9, 1999, be canceled. Motion carried 7 to 0.

(Item No. 10)

TRAVEL APPROVAL APPROVAL OF MAYOR AND SPOUSE TRAVEL, FEBRUARY 4-9, 1999, FOR OFFICIAL VISIT TO WICHITA'S SISTER CITY, CANCUN, MEXICO.

Motion -- carried

Ferris moved that the travel expenses be authorized. Motion carried 7 to 0.

(Item No. 12)

APPOINTMENTS

BOARD/COMMISSION APPOINTMENTS (FOR TERMS EXPIRING JUNE 30, 1999):

Commission on the Status of People with Disabilities (3 appointments - Knight, Cole, Lambke)
Convention & Tourism Committee (Ferris)
Human Services Board (Council at large)
Police & Fire Retirement Board of Trustees (Rogers)
Wichita Commission on the Status of Women (3 appointments - Gale, 2-Lambke)
Wichita-Sedgwick County Alcohol and Drug Abuse Advisory Board (Council at large)
Wichita-Sedgwick County Correctional Housing Board (Knight - Municipal Court Probation)

There were no appointments made.

(Item No. 13)

APPOINTMENTS TO CPO DISTRICT 4.

Bonnie Johnson-Patrick, 3122 S. Edwards, and Paul Ward, 2857 S. Walnut, have been nominated by CPO Council 4 to fill vacancies in subdistrict 4.2.

Motion --

Gale appointed Bonnie Johnson-Patrick and Paul Edward and moved that the

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-- carried

appointments be approved. Motion carried 7 to 0.

(Item No. 14)

PROCLAMATIONS

PROCLAMATIONS:

- Women's History Month.
- American History Month.

Motion -- carried

Knight moved that the Proclamations be approved. Motion carried 7 to 0.

CONSENT AGENDA

Knight moved that the Consent Agenda, except Items , be approved in accordance with the recommended action shown thereon. Motion carried 7 to 0.

(Item No. 15)

BOARD OF BIDS

REPORTS OF THE BOARD OF BIDS AND CONTRACTS DATED JANUARY 19 AND JANUARY 25, 1999.

Bids were opened January 15, 1999. Refer to Minutes January 19, 1999.

Water distribution system to serve a portion of Rocky Creek Addition and Rocky Creek Second Addition - north of 13th, east of 127th Street East. (448-89336 /734855/470-563). Does not affect existing traffic. City Council approval date: 12/1/98. (District II)

Ditch Diggers LLC - \$20,155.00

Lateral 96, Sanitary Sewer #23 to serve Harbor Isle Second Addition - east of Meridian, south of 53rd Street North. (468-82847/743542/480445) Does not affect existing traffic. City Council approval date: 5/19/98. (District VI)

Utility Contractors - \$248,332.00

Knight moved that the contract(s) be awarded as outlined above, subject to check, same being the lowest and best bid within the Engineer's construction estimate, and the Mayor be authorized to sign for the City. Motion carried 7 to 0.

Bids were opened January 22, 1999. Refer to Minutes January 25, 1999.

1999 Contract Maintenance Preparatory Curb & Gutter Repair and Miscellaneous Concrete Repair, Phase I. (132258)

Kansas Paving Company - \$129,025.00 (Engineer's Estimate)

1998 Enhanced Maintenance Area Concrete Reconstruction, Phase VII. (/706648)

Barkley Construction - \$215,633.00 (Engineer's Estimate)

Bayley Street. (472-83032/715540)

Cornejo & Sons Construction- \$1,672,156.55

Water Distribution System to serve Harbor Isle Second Addition - east of Meridian, south of 53rd Street North. (448-89272/734574/470-535) Does not affect existing traffic. City Council approval date 5/19/98. (District VI)

Duling Construction - \$57,332.00

Storm Water Sewer No. 521 to serve Buckhead Third Addition - north of Central, west of 119th Street West. (468-82948/751271/485-162) Does not affect existing traffic. City Council approval date 1/12/99. (District V)

Duling Construction - \$136,534.00

Knight moved that the contract(s) be awarded as outlined above, subject to check, same being the lowest and best bid within the Engineer's construction estimate, and the Mayor be authorized to sign for the City. Motion carried 7 to 0.

PUBLIC WORKS DEPARTMENT/FLEET & BUILDINGS DIVISION: Asbestos Abatement, Demolition and Off-Site Removal of the Following Single Family Residences: 211 West Bayley and 1248 South Topeka. (715516)

H.D Mills & Sons Inc., dba Southwest Salvage - \$8,650.00 (Lump Sum Total)

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VARIOUS DEPARTMENTS/VARIOUS DIVISIONS: Negatives, Halftones, Dutones, Prints and Related Services.
(037200)

ETS Graphics, Inc. - \$ 0.07 (Item # 1/per square inch)

\$ 0.20 (Item # 2/per square inch)
\$ 3.00 (Item # 3/per each)
\$ 3.00 (Item # 4/per each)
\$ 3.20 (Item # 5/per each)
\$ 4.00 (Item # 6/per each)
\$ 5.00 (Item # 7/per each)
\$ 6.30 (Item # 8/per each)
\$ 7.90 (Item # 9/per each)
\$ 9.90 (Item #10/per each)
\$12.40 (Item #11/per each)
\$15.50 (Item #12/per each)
\$19.20 (Item #13/per each)
\$24.00 (Item #14/per each)
\$ 2.50 (Item #15/per each)
\$ 2.50 (Item #16/per each)
\$ 2.90 (Item #17/per each)
\$ 3.20 (Item #18/per each)
\$ 4.00 (Item #19/per each)
\$ 5.00 (Item #20/per each)
\$ 6.30 (Item #21/per each)
\$ 7.90 (Item #22/per each)
\$ 9.00 (Item #23/per each)
\$11.50 (Item #24/per each)
\$14.00 (Item #25/per each)
\$18.00 (Item #26/per each)
\$ 1.00 (Item #27/per each)
\$39.00 (Item #28/per each)

Knight moved that the Contracts be approved and the Mayor be authorized to sign. Motion carried 7 to 0.

(Item No. 16)

LICENSE APPLICATIONS

APPLICATIONS FOR LICENSES TO RETAIL CEREAL MALT BEVERAGES:

Renewal 1999 (Consumption on Premises)

Ruben Acosta	Ruben & Anita's Tacos*	835 East First Street
Vernon J. Blasi	Blasi Tire Center, Inc.	11209 West 54 HWY
Marla Hayden	Buck's @ Kellogg Inc.*	583 South West Street
Pat Nansen (formerly Pat Newby)	Tenth Street Tavern	355 West Tenth Street

(Consumption off Premises)

Rick Brazile	Sam's West, Inc.	3415 North Rock Road
	dba Sam's Club No. 6418	
Ralph McGuire	Dillon Store No. 12	9450 East Harry
Ralph McGuire	Dillon Store No. 16	8828 West 13th Street
Ralph McGuire	Dillon Store No. 20	7707 East Central
Ralph McGuire	Dillon Store No. 21	5500 East Harry
Ralph McGuire	Dillon Store No. 26	1227 South Hydraulic
Ralph McGuire	Dillon Store No. 30	2525 West Douglas
Ralph McGuire	Dillon Store No. 31	1640 South Broadway
Ralph McGuire	Dillon Store No. 33	4747 South Broadway
Ralph McGuire	Dillon Store No. 34	3932 West 13th Street
Ralph McGuire	Dillon Store No. 35	6297 East 13th Street
Ralph McGuire	Dillon Store No. 42	4801 East Central
Ralph McGuire	Dillon Store No. 49	10222 West 21st Street
Ralph McGuire	Dillon Store No. 62	1435 North Waco
Ralph McGuire	Dillon Store No. 65	3211 South Seneca
Ralph McGuire	Dillon Store No. 66	2244 North Rock Road
Ralph McGuire	Dillon Store No. 72	10515 West Central

New Establishment 1999 (Consumption on Premises)

Chan Phommachanh	Bangkok Thai Restaurant*	2020 South Rock Road, No. 50
Rodney L. Steven II	Genesis Health Club	6100 East Central, Bldg. No. 3
Jose A. Garcia	Garcia's Tacos*	2138 North Market

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Special Event	Date of Event	
Bui Van Hanh	Indian Center (February 13, 1999)	650 North Seneca
Hoakim Tu	Thai Binh Asian Mall (February 20, 1999)	1514 West 22nd Street

*General/Restaurant -- 50% or more of gross receipts derived from sale of food.

Motion -- Knight moved that the licenses be approved subject to Staff review and approval.
-- carried Motion carried 7 to 0.

(Item No. 17)

SUBDIVISION PLANS AND SPECIFICATIONS.

- a. Lateral 397, Southwest Interceptor Sewer to serve Prairie Woods 2nd Addition (north of Pawnee, west of Maize) 468-82822/743785/480473 Does not affect existing traffic CC Approval Date: 1/5/99 (District 5)
- b. Water Distribution System to serve Prairie Woods 2nd Addition (north of Pawnee, west of Maize) 448-89257/734902/470572 Does not affect existing traffic. CC Approval Date: 1/5/99 (District 5)
- c. Elimination of Deadend Mains (along 33rd Street South, west of Meridian) 448-89317/635581/544658 Traffic to be maintained through construction using flagpersons and barricades. CC Approval Date: 1/6/98 (District 4)
- d. Water Distribution System to serve Clark Estates (south of Central, east of 143rd Street East) 448-89281/734624/470540 Traffic to be maintained through construction. CC Approval Date: 6/9/98 (District n/a)
- e. Hickory from the east line of the plat, west to the west line of Azure Circle; Birch from the south line of Hickory, south and west to the west line of Lot 8, Block C; Azure Circles serving Lots 15 - 22, Block C (from the south line of Hickory, south to and including the cul-de-sac), and Lots 12 - 29, Block D (from the north line of Hickory, north to and including the cul-de-sac), and; Sidewalk along the north and south side of Hickory, and along the east and south side of Birch, and along the east side of Azure, Buckhead 3rd Addition (north of Central, west of 119th Street West) 472-82946/765123/490614 Does not affect existing traffic. CC Approval Date: 6/16/98 (District 5)
- f. Harborlight Street from the east line of Meridian to the south line of Lot 53, Block 2, and; Harborlight Courts serving Lots 1 - 6, Lots 11 - 22, Lots 25 - 35, and Lots 38 - 44, Block 2, Harbor Isle 2nd Addition (east of Meridian, south of 53rd Street North) 472-89251/765040/490606 Does not affect existing traffic. CC Approval Date: 5/19/98 (District 6)
- g. Lateral 423, Southwest Interceptor Sewer to serve Northridge Lake Patio Homes Addition (north of 21st, east of Tyler) 468-82958/743787/480475 Does not affect existing traffic. CC Approval Date: 1/26/99 (District 5)
- h. Water Distribution System to serve Northridge Lake Patio Homes Addition (north of 21st, east of Tyler) 448-89362/734904/470574 Does not affect existing traffic. CC Approval Date: 1/26/99 (District 5)
- I. Northridge Court serving Northridge Lake Patio Homes Addition (north of 21st, east of Tyler) 472-83065/765551/490662 Does not affect existing traffic. CC Approval Date: 1/26/99 (District 5)

Motion -- Knight moved that the Plans and Specifications be approved and advertised for bids to be submitted to the Board of Bids and Contracts by 10:00 a.m., February 5, 1999. Motion carried 7 to 0.
-- carried

(Item No. 18)

PRELIMINARY ESTIMATES

PRELIMINARY ESTIMATES:

- a. 1999 utility cut repair of streets, alleys, sidewalks, and driveways at various locations. (132035/112000) Traffic to be maintained during construction using flagpersons and barricades. City Council approval date: 08/11/98 - \$1,020,000.00
- b. 1998 KLINK (FY 1999) nova chip on K-2/42, from the Wichita-Valley Center Flood Control Project to US 54/400 - K-42 and West Street. (132373/112000) Traffic to be maintained during construction using flagpersons and barricades. City Council approval date: 12/16/97. (District IV) - \$325,500.00
- c. 1999 enhanced maintenance area concrete reconstruction, Phase B - various locations / (132357 s/b 706648/112000) Traffic to be maintained through construction using flagpersons and barricades. City Council approval date: 10/13/98 - \$433,000.00

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- d. 1998 enhanced maintenance preparatory curb and gutter repair and miscellaneous concrete repair, Phase VIII - various locations. (706648/405218) Traffic to be maintained through construction using flagpersons and barricades. City Council approval date: 11/24/98 - \$130,000.00
- e. Water distribution system - east of Arkansas Avenue, north of 37th Street North. (448-89255/734467/470-524) Not to be advertised for bids. Traffic to be maintained during construction using flagpersons and barricades. City Council approval date: 4/14/98 (District VI) - \$410,000.00
- f. Water distribution system to serve Harbor Isle Second Addition - east of Meridian, south of 53rd Street North. (448-89272/734574/470-535) Does not affect existing traffic. City Council approval date: 5/19/98.
(District VI) - \$175,000.00
- g. Water distribution system along Doris, Fruitvale Park Addition - south of Central, east of Hoover. (448-89277/734715/470-549) Traffic to be maintained during construction. City Council approval date: 7/14/98.
(District IV) - \$75,000.00
- h. Water distribution system to serve Buckhead Third Addition - north of Central, west of 119th Street West. (448-89279/734699/470-547) Does not affect existing traffic. City Council approval date: 6/16/98.
(District V) - \$101,000.00
- i. Water distribution system to serve Savanna at Castle Rock Ranch Ninth Addition - north of 13th, east of 143rd Street. (448-89303/734863/470-564) Does not affect existing traffic. City Council approval date: 8/4/98 - \$54,400.00
- j. Water distribution system along Doris, Fruitvale Park Addition - south of Central, east of Hoover. (448-89315/734798/470-557) Traffic to be maintained during construction. City Council approval date: 9/15/98.
(District IV) - \$15,000.00
- k. Water distribution system along Doris, Fruitvale Park Addition - south of Central, east of Hoover. (448-89326/635565/544656) Traffic to be maintained during construction. City Council approval date: 1/6/98. (District IV) - \$20,000.00
- l. Water distribution system to serve Tallgrass East Commercial Addition - north of 21st, east of Webb. (448-89333/734897/470-567) Does not affect existing traffic. City Council approval date: 11/17/98
(District II) - \$42,000.00
- m. Water distribution system to serve Balthrop Addition - north of Central, east of Greenwich. (448-89334/734848/470562) Does not affect existing traffic. City Council approval date: 12/15/98. (District II) - \$88,150.00
- n. Water Distribution System to serve a portion of Rocky Creek Addition and Rocky Creek Second Addition -north of 13th, east of 127th Street East. (448-89336/734855) - \$47,800.00
- o. Lateral 17, Main 24, War Industries Sewer to serve Tallgrass East Commercial Addition - north of 21st, east of Webb. (468-81946/743781/480- 469) Does not affect existing traffic. City Council approval date: 11/17/98 (District II) - \$40,000.00
- p. Lateral 4, Main 18, Southwest Interceptor Sewer to serve Buckhead Third Addition - north of Central, west of 119th Street West. (468- 82845/734583/480-449) Does not affect existing traffic. City Council approval date: 6/16/98. (District V) - \$172,000.00
- q. Lateral 96, Sanitary Sewer #23 to serve Harbor Isle Second Addition - east of Meridian, south of 53rd Street North. (468-82847/743542) - \$405,000.00
- r. Lateral 51, Main 7, Sanitary Sewer 23 to serve Comotara Industrial Park Second Addition - south of 34th Street North, west of Webb. (468- 82852/743591/480450) Does not affect existing traffic. City Council approval date: 8-4-98. (District II) - \$27,500.00
- s. Lateral 75, Main 22, War Industries Sewer to serve Wilson Farms and Wilson Retirement Additions - south of 21st Street, west of Webb. (468- 82855/743732/480-464) Does not affect existing traffic. City Council approval date: 6/23/98. (District II) - \$49,200.00
- t. 1998 Sanitary Sewer Reconstruction Program, Phase 5 - south of 13th, west of Hillside. (468-82869/620161/533368) Traffic to be maintained during construction using flagpersons and barricades. City council

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approval date: 1/6/98. (District I) - \$122,510.98

- u. Lateral 58, Main 9, Sanitary Sewer #23 to serve Cornejo North Addition - east of Woodlawn, north of 29th Street North. (468-82915/743740/480-465) Does not affect existing traffic. City Council approval date: 9/29/98. (District II) - \$23,075.00
- v. Lateral 59, Main 9, Sanitary Sewer #23 to serve Comotara Industrial Park Second Addition - south of 34th Street North, west of Webb. (468- 82923/743765/480-467) Does not affect existing traffic. City Council approval date: 12/8/98. (District II) - \$26,000.00
- w. Storm Water Sewer No. 518 to serve Balthrop Second Addition - north of Central, east of Greenwich. (468-82924/751255/485-160) Does not affect existing traffic. City Council approval date: 12/15/98. (District II) - \$170,300.00
- x. War Industries Relief Sewer - Phase 1A - south of Pawnee, west of Hillside. (468-82928/623306/533-322) Traffic to be maintained during construction using flagpersons and barricades. City Council approval date: 1/6/98. (District III) - \$1,356,574.25
- y. Cardington and Ryan from the east line of Shefford to the south line of 29th Street North; and on Shefford from the south line of Aberdeen Second Addition to the south line of Central Park; on four Cardington Courts adjacent to Lots 5 through 8 and Lots 10 through 25, Block 1, and adjacent to Lots 1 through 9, Block 2; Central Park Court and Central Park Circle adjacent to Lots 31 through 50, Block 1, Aberdeen Second Addition - north of 21st Street, east of 119th Street West. (472-82752/765313/490-633) Does not affect existing traffic. City Council approval date: 10/29/96. (District V) - \$465,000.00
- z. Fifty-First Street South from the west line of Stonebriar Addition, east to the south line of Custer; Custer from the east line of 51st Street South, north to the south line of Lot 3, block 3; Mt. Carmel from the south line of Lot 36, Block 1, south to the south line of Stonebriar Addition; and sidewalk along the south side of 51st Street South, the west side of Mt. Carmel, and the east side of Custer, Stonebriar Addition - west of Meridian, south of 47th Street South. (472-82898/765131/490-615) Does not affect existing traffic. City Council approval date: 4/7/98. (District IV) - \$236,320.00
- aa. Tennis courts in Buffalo Park - east of Maize, south of Central. (472-82921/785774/440-109) Does not affect existing traffic. City Council approval date: 4/28/98. (District V) - \$75,000.00
- bb. Hendryx from the east line of the plat, west to the west line of Lot 3, Block B; McCormick Avenue, from the south line of Hendryx, south of the west line of Lot 15, Block B; Hendryx Court (Lots 2 through 8, Block 1) north to and including the cul-de-sac; and Hendryx Court (Lots 13 through 20, Block A) north to and including the cul-de-sac, Reece Farms Estates - south of Maple, west of 151st West. (472-82929 /764936/490-595) Does not affect existing traffic. City Council approval date: 4/14/98. (District V) - \$404,390.00
- cc. Tipperary from the west line of Lot 51, Block 1 to the west line of Lot 33, Block 4; Bedford/Shannon Way/Ritchfield, from the north line of Tipperary to the north line of Lot 10, Block 3; Bedford from the NL of Shannon Way to the north line of Lot 56, Block 1; and Sidewalk on the north side of Tipperary from the west line of Lot 51, Block 1, to the east line of Lot 33, Block 4; and the east, north and west side of Bedford, Shannon Way and Ritchfield, Balthrop Addition - north of Central, east of Greenwich. (472- 83030/765487/490-650) Does not affect existing traffic. City Council approval date: 12/15/98 (District II) - \$433,370.00
- Motion --
-- carried
- Knight moved that the Preliminary Estimates be received and filed. Motion carried 7 to 0.

(Item No. 19a)
PETITIONS

100 PERCENT PETITION TO PAVE GLEN CREEK AND GLEN CREEK COURT IN ROCKY CREEK ADDITION - NORTH OF 13TH STREET, EAST OF 127 STREET EAST. (District II)

Agenda Report No. 99-053.

The Petition has been signed by one owner representing 100% of the improvement district.

This project will provide street paving in a newly annexed residential development.

The estimated project cost is \$380,000. The funding source is special assessments.

Motion --
-- carried

Knight moved that the Petition be approved and the Resolution be adopted. Motion carried 7 to 0.

RESOLUTION NO. R-99-022

Resolution of findings of advisability and Resolution authorizing improving of Glen Creek from the east line of Rocky

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Creek Parkway; and Glen Creek Court from the south line of Glen Creek to and including the cul-de-sac, Project No. 472- 83056 (north of 13th, east of 127th Street East) in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Ferris, Gale, Kamen, Lambke, Rogers, Knight.

(Item No. 19b)

100 PERCENT PETITION FOR SANITARY SEWER TO SERVE PART OF WOODLAKE ADDITION - SOUTH OF SECOND STREET, WEST OF ST. PAUL. (District IV)

Agenda Report No. 99-054.

The Petition has been signed by one owner representing 100% of the improvement district.

The project will provide sanitary sewer service to a new office building.

The estimated project cost is \$14,000. The funding source is special assessments.

Motion --
-- carried

Knight moved that the Petition be approved and the Resolution be adopted. Motion carried 7 to 0.

RESOLUTION NO. R-99-023

Resolution of findings of advisability and Resolution authorizing construction of Lateral 162, Sanitary Sewer No. 22 (south of Second, west of St. Paul) Project No. 468-82951 in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Ferris, Gale, Kamen, Lambke, Rogers, Knight.

(Item No. 20)

BOARDS MINUTES

MINUTES OF ADVISORY BOARDS/COMMISSIONS:

CPO Northeast Council 1, 1-11-99
CPO East Council 2, 1-11-99
CPO Southeast Council 3, 1-14-99
CPO Southwest Council 4, 1-14-99
CPO Northwest Council 5, 1-13-99
CPO North Central Council 6, 1-13-99
Convention and Tourism Committee, 9-28-98
Convention and Tourism Committee, 10-26-98
Wichita Historic Preservation Board, 12-14-98
Wichita Public Library, 12-15-98
Wichita Sedgwick County Alcohol and Drug Advisory Board (ADAAB), 11-23-98
Wichita Sedgwick County Alcohol and Drug Advisory Board (ADAAB), 1-14-99

Motion -- Knight moved that the Minutes be received and filed. Motion carried 7 to 0.

(Item No. 21)

STREET CLOSURES/USES

CONSIDERATION OF STREET CLOSURES/USES.

There were no street closures/uses considered.

(Item No. 22)

CLAIMS ALLOWED REPORT

REPORT ON CLAIMS ALLOWED - DECEMBER, 1998.

The following claims were approved for payment by the Law Department during the month of December, 1998.

Name of Claimant	Amount
Steve Byers	\$191.15
Andrew Hider	\$4,000.00
Stuart M. Lewis	\$224.55
Valerie Washington	\$150.00
Sue Warren	\$344.13
Debra Rotola	\$257.34
Vikky Collins	\$299.99
Steve Shofter	\$387.49
Leslie R. Phillips	\$406.87
Douglas A. Lane	\$504.62
Richard or Marilyn Crown	\$414.26

Motion -- carried Knight moved that the Report be received and filed. Motion carried 7 to 0.

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(Item No. 23)

BUDGET ADJUSTMENTS

BUDGET ADJUSTMENTS - 1998 YEAR-END.

Agenda Report No. 99-055.

Final expenditures have been posted to the 1998 budgets. Budget adjustments are needed to accomplish fiscal year-end closing. Adjustments exceeding \$10,000 require City Council approval in accordance with the City's Administrative Regulations.

The first pay period in 1999 contains four days from 1998 (six days for weekend positions). Due to the timing of these year-end pay period dates, an accrual adjustment is required to accurately reflect all 1998 expenses within the 1998 fiscal period. In most cases, salary savings within the department are sufficient to offset this extraordinary expense, but not in all cases. The total accrual will be approximately \$1.6 million. It is requested to authorize the use of unexpended appropriations elsewhere within a department's budget for the purpose of alleviating personal services budget failures.

Additionally, due to the dry, hot summer of 1998, in order to ensure that golf course playing conditions were adequate, the consumption of City water at the golf course was significantly more than budgeted. This was particularly true for MacDonald Golf Course. Savings in other areas of the Golf budget are available to finance \$20,000 for increased 1998 water usage.

Because of underexpenditures in various accounts, funding is available within each of the authorized funds/budgets. Appropriated reserves have been maintained (within legal levels and according to sound financial management). Funds are available to meet these needs without consequence to resources needed for future programs/operations. For the Golf Course Fund, underexpenditures elsewhere within the Golf Fund budget offset the contractual shortfall.

Compliance with State budget requirements have been met, since all budget adjustments are within funds, and the final 1998 expenditure totals -- after the adjustments -- will not exceed the legally adopted 1998 expenditure authorizations.

Motion --

Knight moved that the budget adjustments within departmental budgets to offset personal services shortfalls be approved, and a budget adjustment within the Golf Fund of not more than \$20,000 to offset expenses associated with the unanticipated demand for water be authorized. Motion carried 7 to 0.

-- carried

(Item No. 24a)

STREET RESURFACING

AGREEMENT FOR STREET RESURFACING PROJECT ON K-2/42- SOUTHWEST BOULEVARD, FROM I-235 FREEWAY TO U.S. 54/400 - KELLOGG. (District IV)

Agenda Report No. 99-056.

The Kansas Department of Transportation (KDOT) has available a street resurfacing (KLINK) program for cities which have Federal or State highway connecting links within their city limits. The KLINK program is intended for resurfacing improvements on the connecting links which are maintained by the cities.

KDOT has advised the City of Wichita that KLINK Fiscal year 1999 funds in the amount of \$150,000 have been allocated for a resurfacing project on K-2/42, from the I-235 Freeway to US-54/400 (Kellogg).

The Agreement provides that KDOT will reimburse the City in the amount of 50 percent of the approved construction cost including construction engineering and contingencies, but not to exceed a maximum of \$150,000.

On December 22, 1998, the City Council approved a contract with Cornejo & Sons for the KLINK resurfacing improvements. Funds for the \$312,595 project are available in the Street Maintenance budget. Fifty percent of the costs, not to exceed \$150,000, will be reimbursed to the City by KDOT.

Motion --

Knight moved that the Agreement be approved and the Mayor be authorized to sign. Motion carried 7 to 0.

-- carried

(Item No. 24b)

WILDLIFE AND PARKS

ACCESS CONTRACT WITH KANSAS DEPARTMENT OF WILDLIFE AND PARKS.

Agenda Report No. 99-057.

The Water and Sewer Department owns approximately 97 acres of land adjacent to the Arkansas River near 85th Street North and 151st Street West. Previously used wells, which had a high salt content, are no longer being used although the City has retained possession of the land.

The land has since turned into a recreational area with the rest being used as pasture. The park area, which includes

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approximately 27 acres adjacent to the Arkansas River, has been a popular site for camp outs and picnics for many years.

The Kansas Department of Wildlife and Parks is requesting a lease with the City which would allow public access to the land and the river. As part of the agreement, the Department of Wildlife and Parks would assume all maintenance and enforcement responsibilities for the 27-acre park site and would reimburse the City \$1,000 per year for access. The length of the contract would be for two years, renewable after that period.

The State will pay the City \$1,000 per year for access to the site.

Motion --
-- carried

Knight moved that the Contract be approved and the Mayor be authorized to sign.
Motion carried 7 to 0.

(Item No. 24c)

ARTERIALS AND BRIDGES

DESIGN CONTRACTS FOR ARTERIAL AND BRIDGE PROGRAM. (Districts II and III)

Agenda Report No. 99-058.

On May 19, 1998, the City Council authorized the Staff Screening and Selection Committee to select design engineers for the 1998 Arterials & Bridges Program. On November 18, 1998, the Staff Screening and Selection Committee selected consulting firms to perform the design engineering for the CIP projects, associated petitioned projects, and incidental water and sewer lines.

Following is the list of projects, the firm selected for each project and the maximum fee allowed by the agreements.

CIP #	LOCATION/DESCRIPTION	CONSULTANT	FEE
MS-9607	Pawnee,		
	Rock Road to Webb	MKEC	\$76,180
MS-438	Webb, Pawnee to Harry	MKEC	\$69,780
MS-9208	Harry Bridge at		
	Fabrique Ditch	MKEC	\$32,100

The design fees total \$178,060. The funding source is General Obligation Bonds.

Motion --
-- carried

Knight moved that the Agreements be approved and the Mayor be authorized to sign.
Motion carried 7 to 0.

(Item No. 24d)

COMPUTER & SOFTWARE

CONTRACT FOR COMPUTER AND SOFTWARE TRAINING SERVICES.

Agenda Report No. 99-059.

The MIS Strategic Plan approved by the council recommends that the City migrate existing computer system to client-server technology. As that migration nears completion, there is a continuing need to train system users on software applications. Those applications include Windows, word processing, spreadsheets, databases, and presentation software. Training classes focusing on introduction to personal computers are also needed.

Wichita Area Technical College proposal provides training at the lowest cost. The total annual cost for employee computer training will not exceed \$20,000.

The contract provides for training services through June 1999, at which time the contract will need to be renegotiated to provide for future services.

Funding for training is in the Data Center operating budget.

Motion --
-- carried

Knight moved that the Agreement be approved and the Mayor be authorized to sign.
Motion carried 7 to 0.

(Item No. 25a)

BROWN & CALDWELL

BROWN & CALDWELL SUPPLEMENTAL AGREEMENT #16.

Agenda Report No. 99-060.

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On November 9, 1993, the Sludge Treatment and Management Plan was presented to City Council by Staff and representatives of the City's engineer, Brown & Caldwell. The plan outlined recommendations to achieve compliance with United States Environmental Protection Agency (USEPA) regulations governing the use, treatment, and disposal of municipal wastewater sludges (40 CFR, Part 503).

On December 14, 1993, the City Council adopted the Sludge Treatment and Management Plan.

In order to fund the mandated improvements in the plan, the City Council approved appropriate sewer rate adjustments for 1994, 1995, and 1996. The City Council also approved amending the Capital Improvement Plan along with amending the operating budgets. On May 9, 1995, the City Council amended the plan to include storage of biosolids on the Sewage Treatment Plant #2 site, directed Staff to implement the privatization of biosolids transportation, modified the staffing plan, and amended the 1995(R), 1996(R), and 1997 budgets.

Proposed Supplemental Agreement #16 provides for additional engineering services related to completion of the Sludge Treatment and Management Project. Several items regarding warranty work require the engineer's services beyond the time contracted for construction management. In addition, there is a need for engineering services to be able to fully automate the scum removal operation at Sewage Treatment Plant #1.

This expenditure is a part of Capital Improvement Program (CIP #S-500) and will be paid from Sewer Utility cash reserves and/or a future bond issue. To date the Water & Sewer Department has contracts and amendments, including this, totaling \$6.904 million with Brown & Caldwell. The total cost of Supplemental Agreement #16 is not to exceed \$28,376. CIP #S-500 has available funds of \$1,413,905.

Supplemental Agreement #16 has been reviewed and approved as to form by Law. USEPA regulations (40 CFR, Part 503) require municipalities to implement an approved method of sludge disposal and to comply with the National Pollutant Discharge Elimination System (NPDES) permit. Failure to comply would result in civil and/or criminal penalties.

Motion --
-- carried

Knight moved that the Supplemental Agreement be approved and the Mayor be authorized to sign. Motion carried 7 to 0.

(Item No. 25b)

WIS DESIGN SERVICES SUPPLEMENTAL AGREEMENT FOR DESIGN SERVICES FOR EXPANDED NORTHEAST WICHITA WAR INDUSTRIES SEWER MAIN. (District II)

Agenda Report No. 99-061

On January 7, 1997, the City Council approved a project for sanitary sewer mains to serve future developments and annexed areas as well as relocations due to development. On February 3, 1998, the City Council entered into an Agreement with Mid-Kansas Engineering Consultants, Inc. for the design services to determine the appropriate pipe sizes and design sanitary sewer mains to serve the urban growth/service area which includes an area generally east of Webb Road to 127th Street East, and from north of 17th Street North to 29th Street North.

The Supplemental Agreement provides for redesigning an existing sanitary sewer pump station at Kellogg and Greenwich from a system with an above ground pump to a submersible pump, redesigning the pressure pipe lines from the pump station at Kellogg and Greenwich and a new pump station near 21st and K-96 so they are combined into one line along Kellogg, and adding ferrous chemical pumps and a mixing tank at the proposed new pump station near 21st and K-96. The first two changes are expected to lower estimated construction costs by approximately one million dollars. The ferrous chemical apparatus will inject chemicals into the waste stream to reduce the formation of hydrogen sulfide gas which will greatly reduce sewage odors.

The Supplemental Agreement will increase the total contract by \$26,880 from \$230,660 to \$257,540. The funding source is Sewer Utility.

Motion --
-- carried

Knight moved that the Supplemental Agreement be approved and the Mayor be authorized to sign. Motion carried 7 to 0.

(Item No. 26)

NW SEWER MASTER PLAN ENGINEERING CONTRACT AMENDMENT FOR SITE SELECTION AND EVALUATION SERVICES - NORTHWEST SEWER MASTER PLAN.

Agenda Report No. 99-062.

On January 19, 1999, City Council authorized staff to obtain professional engineering services for site selection and evaluation for a sewage treatment plant to serve northwest Wichita.

The original contract, which is with Brown & Caldwell, does not include site selection and evaluation.

The original contract amount was \$99,836. A Supplemental Agreement was approved on July 28, 1999, for \$35,000.

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The contract amendment will be in an amount not to exceed \$25,000. There are adequate funds in the Northwest Sewer Master Plan (CIP # S-109) to cover the contract amendment.

Motion --
-- carried

Knight moved that the Supplemental Agreement be approved and the Mayor be authorized to sign. Motion carried 7 to 0.

(Item No. 27)

MERIDIAN RECONSTRUCTION CHANGE ORDER FOR MERIDIAN AVENUE RECONSTRUCTION AT THE CENTRAL KANSAS RAILWAY TRACTS NEAR ORIENT BOULEVARD. (District IV)

Agenda Report No. 99-063.

The Central Kansas Railway is upgrading its tracks through Southwest Wichita, including the Meridian Avenue crossing north of Orient. The Railroad has agreed to lower the tracks to eliminate a hump in the road.

A Change Order has been prepared for the reconstruction of the pavement adjacent to the railroad tracks.

The Change Order amount is \$40,000. The funding source is the Street Maintenance Program.

Motion --
-- carried

Knight moved that the Change Order be approved and the Mayor be authorized to sign. Motion carried 7 to 0.

(Item No. 28)

MERIDIAN MODIFICATIONS MEDIAN MODIFICATIONS AT SENECA AND UNIVERSITY STREET. (District IV)

Agenda Report No. 99-064.

On October 27, 1998, the City Council approved the design concept for reconstruction of Seneca from Kellogg to McLean Boulevard. The design included a new landscaped median from just north of Kellogg extending north approximately one and one-half blocks. The median had been approved as part of the Seneca design by the Delano Neighborhood Association at their meeting on October 20, 1998. At the time of the City Council review and approval of the project design, the City Council was made aware that staff had as yet been unable to schedule a meeting with Friends University to seek their input on the median design which prevented left turns off Seneca onto University Street.

When a meeting was held with the University, they objected to the median as designed. In order for the University to have an opportunity to voice their concerns, a second meeting of the Delano Neighborhood Association was held on November 17, 1998. Specific invitations were made to Friends University and the Masonic Home. Although no one attended from the Masonic Home, Friends University representatives (President Biff Green and John McKay) attended and voiced strong opposition to the median across the University Street intersection. They argued that it blocked access from Kellogg via University Street which they saw as the traditional entrance route to the school. The neighborhood association reconsidered their earlier position, and voted overwhelmingly to recommend to the City Council that the median not be built across University Street, but instead should start at the north line of University Street and extend north as otherwise planned. Their recommendation is hereby returned to the City Council for the purpose of modifying the Council's earlier approval of the continuous median, and instead concurring with the Delano Neighborhood Association's recommendation.

The elimination of the median at University Street will not have a significant affect on the overall project cost.

Motion --
-- carried

Knight moved that the project design be revised by eliminating the median on Seneca at University Street, but retaining the median starting at the north line of University Street and extending north as planned. Motion carried 7 to 0.

(Item No. 29)

BROADWAY WATER MAIN DESIGN OF A 12-INCH WATER MAIN - BROADWAY FROM PATTERSON STREET TO 37TH STREET SOUTH. (District III)

Agenda Report No. 99-065.

The City of Wichita provides treated drinking water to 331,000 people. The service population is projected to increase to over 438,000 by 2010. To ensure that future water needs of the service area are met, the Water & Sewer Department initiated a study of its water distribution system. This Water Master Plan recommends a number of significant system improvements to ensure adequate service levels now, and in the future. The plan requires construction of this water line to relieve stress on the existing water distribution system.

The water main will provide an additional line for areas south of 31st St. The improvement is required to complete loops in the distribution piping network. By completing this loop, pressure and fire flow will be increased. Additional water pressure and volume will be supplied to the south section of the City and allow for future growth.

The project (CIP #W-149) is budgeted for \$30,000 for design in 1999, and \$220,000 for construction in 2000. The

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project expenses will be paid from revenue bond proceeds and/or Water Utility cash reserves.

Motion --

Knight moved that the Project and Notice of Intent be approved; the Staff Screening and Selection Committee be authorized to solicit design proposals and select engineers; and the Resolution be adopted. Motion carried 7 to 0.

-- carried

RESOLUTION NO. R-99-024

A Resolution of the City of Wichita, Kansas, declaring it necessary to construct, reconstruct, alter, repair, improve, extend, and enlarge the Water and Sewer Utility owned and operated by the City, and to issue revenue bonds in a total principal amount which shall not exceed \$250,000, exclusive of financing costs, for the purpose of paying certain costs thereof, and providing for the giving of notice of such intention in the manner required by law, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Ayes: Cole, Ferris, Gale, Kamen, Lambke, Rogers, Knight.

(Item No. 30)

MACARTHUR WATER MAIN DESIGN OF 16-INCH WATER MAIN - MACARTHUR STREET FROM WEST STREET TO HOOVER ROAD. (Districts IV and V)

Agenda Report No. 99-066.

The City of Wichita provides treated drinking water to 331,000 people. The service population is projected to increase to over 438,000 by 2010. To ensure that future water needs of the service area are met, the Water & Sewer Department initiated a study of its water system. The Water Master Plan recommends a number of significant system improvements to ensure adequate service levels now, and in the future.

The construction of a 16-inch water main in MacArthur from West St. to Hoover Rd. will provide an additional water line across the Wichita-Valley Center Flood Control Ditch to west Wichita. It will also provide a second line to Wheatland and Prospect Park, which are developments just west of Hoover Rd. This improvement is required to complete a loop in the distribution piping network in the area. By completing this loop, both pressure and fire flow will be increased. The construction of this project will provide additional pressure and volume to the southwest section of the City and allow for future growth.

The project (CIP #W-320) is budgeted for \$60,000 for design in 1999, and \$470,000 for construction in 2000. The project expenses will be paid from revenue bond proceeds and/or Water Utility cash reserves.

Motion --

Knight moved that the Project and Notice of Intent be approved; the Staff Screening and Selection Committee be authorized to solicit design proposals and select engineers; and the Resolution be adopted. Motion carried 7 to 0.

-- carried

RESOLUTION NO. R-99-025

A Resolution of the City of Wichita, Kansas, declaring it necessary to construct, reconstruct, alter, repair, improve, extend, and enlarge the Water and Sewer Utility owned and operated by the City, and to issue revenue bonds in a total principal amount which shall not exceed \$530,000, exclusive of financing costs, for the purpose of paying certain costs thereof, and providing for the giving of notice of such intention in the manner required by law, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Ayes: Cole, Ferris, Gale, Kamen, Lambke, Rogers, Knight.

(Item No. 31)

SEWER RECONSTRUCTION RECONSTRUCTION AND/OR REHABILITATION OF SANITARY SEWERS.

Agenda Report No. 99-067.

The sanitary sewer system is maintained by the Sewer Maintenance Division of the Water & Sewer Department. Preventive maintenance includes the use of closed circuit cameras in evaluating older sewer lines. The sewer lines that are in the worst condition are scheduled for reconstruction or rehabilitation.

The reconstruction and rehabilitation of sanitary sewers program helps eliminate stoppages, back-ups, failures, reduces inflow and infiltration into the system, reduces maintenance costs, and inconvenience to customers.

This project is included in the ten-year Capital Improvement Program (CIP #S-4).

Capital Improvement Program (CIP #S-4), Reconstruction and/or Rehabilitation of Sanitary Sewers, is budgeted for \$2,300,000 in 1999. This project will be funded from a future revenue bond issue and/or Water Utility cash reserves..

Motion --

Knight moved that the Project expenditures for 1999 be approved; the Resolution be adopted; and the Notice of Intent to Publish be approved. Motion carried 7 to 0.

-- carried

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RESOLUTION NO. R-99-026

A Resolution of the City of Wichita, Kansas, declaring it necessary to construct, reconstruct, alter, repair, improve, extend, and enlarge the Water and Sewer Utility owned and operated by the City, and to issue revenue bonds in a total principal amount which shall not exceed \$2,300,000, exclusive of financing costs, for the purpose of paying certain costs thereof, and providing for the giving of notice of such intention in the manner required by law, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Ayes: Cole, Ferris, Gale, Kamen, Lambke, Rogers, Knight.

(Item No. 32)

WATER DISTRIBUTION MAINS DISTRIBUTION MAINS REPLACEMENT PROGRAM.

Agenda Report No. 99-068.

A distribution mains replacement project is included in the ten-year Capital Improvement Program (CIP #W-67) to provide replacement water mains for the old leaking mains in the distribution system. Many water mains have been used beyond their design life and are vulnerable to leaking. Seventy (70) percent of the water system leaks occur in galvanized water mains and this replacement project is targeted to replace these.

The mains to be replaced leak at a level 25 percent above the national average. Replacement of 2" mains with 8" and 6" mains will also provide improved water and fire service to citizens and save an estimated \$6,900 per mile of maintenance costs.

The annual cost of maintaining mains is expected to be reduced by \$73,000 for each year of the project. This project (CIP #W-67) is budgeted for \$3 million in 1999 from revenue bond proceeds and/or Water Utility cash reserves.

Motion --
-- carried

Knight moved that the Project expenditures for 1999 be approved; the Resolution be adopted; and the Notice of Intent to Publish be approved. Motion carried 7 to 0.

RESOLUTION NO. R-99-027

A Resolution of the city of Wichita, Kansas, declaring it necessary to construct, reconstruct, alter, repair, improve, extend and enlarge the water and sewer utility owned and operated by the city, and to issue revenue bonds in a total principal amount which shall not exceed \$3,000,000, exclusive of financing costs, for the purpose of paying certain costs thereof, and providing for the giving of notice of such intention in the manner required by law, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Ayes: Cole, Ferris, Gale, Kamen, Lambke, Rogers, Knight.

WATER MAINS PROGRAM WATER MAINS CONSTRUCTION PROGRAM.

Agenda Report No. 99-069.

The project for water main extensions is included in the ten-year Capital Improvement Program (CIP #W-65) to serve future developments and newly annexed areas. This project provides for the City's share in funding major water line extensions associated with new developments and industries.

The Water Master Plan, prepared by Camp, Dresser & McKee in 1994, indicates the need to extend the water distribution system wherever future growth and development is occurring. These projects are identified when a petition for water system extensions is received. The water utility pays for links and oversizing of the water system in developments. Funds are also used to design and relocate water mains for future Public Works projects.

The project (CIP #W-65) is budgeted for \$2.5 million in 1999. Project expenditures will be paid from revenue bond proceeds and/or Water Utility cash reserves.

Motion --
-- carried

Knight moved that the Project expenditures for 1999 be approved; the Resolution be adopted; and the Notice of Intent to Publish be approved. Motion carried 7 to 0.

RESOLUTION NO. R-99-028

A Resolution of the city of wichita, kansas, declaring it necessary to construct, reconstruct, alter, repair, improve, extend and enlarge the water and sewer utility owned and operated by the city, and to issue revenue bonds in a total principal amount which shall not exceed \$2,500,000, exclusive of financing costs, for the purpose of paying certain costs thereof, and providing for the giving of notice of such intention in the manner required by law, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Ayes: Cole, Ferris, Gale, Kamen, Lambke, Rogers, Knight.

(Item No. 34)

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CITY HALL CARPET CITY HALL CARPET REPLACEMENT. (District VI)

Agenda Report No. 99-070.

The replacement of the original carpet in City Hall began in 1989, and was recently completed. That which was installed in 1989 is again due for replacement.

The 1999 Capital Improvement Program PB-84 has \$100,000 budgeted for the replacement of a portion of the carpet, approximately 25,000 square feet.

The Capital Improvement Program has \$100,000 budgeted as a General Obligation project.

Motion --
-- carried

Knight moved that the Project be approved and the Resolution be adopted. Motion carried 7 to 0.

RESOLUTION NO. R-99-029

A Resolution declaring it necessary to replace carpets in the Wichita City Hall building located at 455 North Main; directing with preliminary estimate of the cost thereof and declaring it to be the intention of the governing body to issue City of Wichita general obligation bonds in an amount not to exceed \$100,000 and relating thereto, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Ayes: Cole, Ferris, Gale, Kamen, Lambke, Rogers, Knight.

(Item No. 35)

PROPERTY ACQUISITION ACQUISITION OF A PORTION OF THE PROPERTY AT THE NORTHEAST CORNER OF TYLER AND KELLOGG FOR THE WEST KELLOGG/TYLER ROAD IMPROVEMENT PROJECT. (District V)

Agenda Report No. 99-071

In July 1993, the City Council approved an ordinance declaring Kellogg from 119th Street West to Mid-Continent Airport a major traffic-way. In October of 1998, staff was instructed to pursue opportunity purchases in the Kellogg corridor. The owner of the tract of land located at the northeast corner of Kellogg and Tyler, Phillips Petroleum Company, has agreed to sell the portion of the property needed for the highway project to the City. The portion needed by the City contains 20,992.5 square feet. It is part of a larger site that is being replatted for development of a gasoline station.

The owner has agreed to sell the needed property for \$150,300. This equates to \$7.16 per square foot. The City has previous acquired tracts near this corner for \$5.50 per square foot in 1991 and \$6.43 per square foot in 1995. Similar property in the area is being offered for \$10.00-to-\$12.00 per square foot.

Funds have been budgeted for opportunity acquisitions and design on West Kellogg. Ordinance 43-310 and 43-311, approved in October of 1996 authorized \$6,160,000 for this purpose. To date, \$4,040,448 of this money has been spent or encumbered leaving a balance of \$2,119,552.. The funding source will be Local Sales Tax revenues. A budget of \$155,300 is requested. This includes \$150,300 for the acquisition and \$5,000 for closing costs and title insurance.

Motion --
-- carried

Knight moved that the budget and Contract be approved; and the Mayor be authorized to sign the necessary documents. Motion carried 7 to 0.

(Item No. 36)

ACQUISITION OF PROPERTIES (TRACTS NO. 1, NO. 9, NO. 11) BY EMINENT DOMAIN FOR THE CENTRAL AVENUE IMPROVEMENT PROJECT FROM WEST STREET TO I-235. (Districts IV & VI)

Agenda Report No. 99-072.

The Central Avenue Improvement Project from West Street to I-235 approved by Council on October 13, 1996, requires the full acquisition of one tract and the partial acquisition of ten tracts along Central Avenue. To date eight owners have accepted the City's offer to purchase the right of way. Negotiations with these owners will continue during the eminent domain process.

Staff has attempted to negotiate the purchase of these Tracts but has been unable to reach any agreement with the owners. Tracts #9 and #11 both contain approximately 112.5 square feet and will not affect any improvements on the remaining property. Market studies of the area indicate a value of \$4.00 per square foot or \$450. The owners were initially offered this amount and later offered \$650 or \$5.78 per square foot. No counter offer has been received. Tract #1 was originally a partial taking of approximately 725 square feet and was offered \$4.00 per square foot or \$2,900. It was later discovered that the entire property would be needed for the project. An appraisal of the property determine the market value to be \$35,000. The owners of the property were offered this amount. No counter offer has been received from the owners of the property. Due to the time constraints of the project, eminent domain action

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is deemed advisable. Any properties that are acquired during the process can be dropped from the ordinance.

The cost of this acquisition are to be paid by the City at large.

Motion --
-- carried

Knight moved that the Ordinance be placed on first reading. Motion carried 7 to 0.

ORDINANCE

An Ordinance providing for the acquisition by eminent domain of certain private property, easements, and right-of-way therein, for the purpose of improving Central Avenue from I-235 to West Street and to be known as the Central Avenue Improvement Project in the City of Wichita, Sedgwick County, Kansas; designating the lands required for such purposes and directing the City Attorney to file a petition in the District Court of Sedgwick County, Kansas, for acquisition of the lands and easements therein taken and providing for payment of the cost thereof.

(Item No. 37)

CONDEMNATION NOTICE

REPAIR OR REMOVAL OF DANGEROUS AND UNSAFE STRUCTURES.

Agenda Report No. 99-073.

Pre-condemnation and formal condemnation letters were issued and the time granted has expired. No action has been taken to repair or remove these properties:

Property Address
3680 East Sunnybrook
309 South Elizabeth (garage)

Council District
III
VI

Motion --
-- carried

Knight moved that the Resolutions placing this matter on the Agenda for a Public Hearing on March 16, 1999, at 11:00 a.m. be adopted. Motion carried 7 to 0.

RESOLUTION NO. R-99-020

A Resolution fixing a time and place and providing for notice of a hearing before the Governing Body of the City of Wichita, at which the owner, his agent, lienholders of record and occupants of the structure located on land described as: Lots 6, 7, 8 Except the south 3' Lot 8, Block 16, Junction Town Co. Addition to Wichita, Sedgwick County, Kansas, known as 309 South Elizabeth, in said City may appear and show cause why such structure should not be condemned and ordered repaired or demolished as a dangerous or unsafe structure, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Ferris, Gale, Kamen, Lambke, Rogers, Knight.

RESOLUTION NO. R-99-021

A Resolution fixing a time and place and providing for notice of a hearing before the Governing Body of the City of Wichita, at which the owner, his agent, lienholders of record and occupants of the structure located on land described as: Lot 11, Block B, Planeview Subdivision No. 2, being a subdivision in Section 2, Township 28 south, Range 1 East of the 6th Principal Meridian in Wichita, Sedgwick County, Kansas, known as 3680 East Sunnybrook, in said City may appear and show cause why such structure should not be condemned and ordered repaired or demolished as a dangerous or unsafe structure, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Ferris, Gale, Kamen, Lambke, Rogers, Knight.

(Item No. 38)

IRB PRESBYTERIAN MANORS HEALTH CARE FACILITIES REFUNDING REVENUE BONDS, SERIES XIII, 1994, PRESBYTERIAN MANORS, INC., (AND PARITY SERIES); REPLATTING REQUEST, DODGE CITY FACILITY. (District II)

Agenda Report No. 99-074.

In and after 1990, the City of Wichita, through a number of interlocal cooperation agreements, issued refunding and improvement revenue bonds to finance or refund previous financing on Presbyterian Manor, Inc. facilities throughout Kansas. In 1994, the City issued its Health Care Facilities Refunding Revenue Bonds, Series XIII (Presbyterian Manors, Inc.) to refinance a retirement facility in Dodge City, Kansas. As part of the security for repayment of all the outstanding bonds issued by the City to finance or refinance Presbyterian Manor facilities, all of the financed facilities were subjected to the lien of the trust indenture, and subjected to certain restrictions on transfer or encumbrances, and easements. However, under the terms of the Lease, it is possible for the City of Wichita to consent to transfers, encumbrances and easements under certain conditions, at the request of the Tenant. Given the similarity of such matters to zoning and replatting matters that may also create or alter restrictions on use, the same basic procedures appear applicable by analogy to requests for replatting. In connection with some further development of its property in Dodge City, the Tenant has requested the City of Wichita to approve a proposed replatting of property at and adjacent to its Dodge City Facility.

Based upon documentation furnished by the Tenant and by Dodge City's City Attorney, it appears the replatting will not alter existing property lines, although it will result in the elimination of several easements benefiting the pledged property (which should, however, be rendered unnecessary by other features of the replatting). Prior to the City's delivery of the replatting instruments, the Tenant will have certified that the replatting will not be detrimental to the proper conduct of the Tenant's business in any manner or degree, will not impair the effective use or interfere with

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the efficient and economical operation of the Dodge City Facility, and will not materially adversely affect the security pledged to the payment of the outstanding bonds.

Motion --
-- carried

Knight moved that the Resolution be adopted and the Mayor be authorized to sign the necessary documents. Motion carried 7 to 0.

RESOLUTION NO. R-99-030

A Resolution authorizing the City of Wichita, Kansas, to convey certain real property to Presbyterian Manors, Inc., and prescribing the form of and authorizing the execution and delivery of certain documents in connection therewith, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Ferris, Gale, Kamen, Lambke, Rogers, Knight.

(Item No. 39)

IRB - BRITTAINE MACHINE **PURCHASE OPTION, BRITTAINE MACHINE, INC., INDUSTRIAL REVENUE BONDS, SERIES V, 1991.** (District IV)

Agenda Report No. 99-075.

On July 23, 1991, City Council passed an Ordinance approving issuance of Industrial Revenue Bonds to finance manufacturing facilities for Brittain Machine, Inc. in the amount of \$2.5 million. The Bonds were issued to construct and equip manufacturing facilities in the Westport Industrial Park Sixth Addition, for use in the Tenant's business of manufacturing machine tools for use in the aviation and aerospace industry. In 1998, all the stock of the Tenant company was acquired by Compass Aerospace, and the acquisition reportedly carried with it a requirement that the new owners take prompt action in pursuance of satisfying and discharging the contingent liabilities which the former owners had incurred by their execution and delivery of personal guaranties in connection with the issuance of the 1991 Industrial Revenue Bond financing. February 1, 1999 is the next date on which the Bonds are subject to optional redemption in whole, and Brittain Machine, Inc. has given notice that it is requesting to redeem the Bonds on that date and concurrently, the Tenant wishes to exercise its option to purchase the financed property.

Under the provisions of Sections 17.1 and 17.2 of the Lease Agreement for the Series V, 1991 Bonds, Brittain Machine, Inc., the Tenant, has the option to purchase the Project from the City of Wichita for the sum of \$100 once all outstanding bonds have been paid. The City has received a check from the Tenant for \$100, and upon receipt of Trustee certification that the bonds and all fees and expenses of the Trustee have been paid, the City will be in a position to deliver the instruments needed to deed the bond financed property back to Brittain Machine, Inc. and terminate the IRB lease.

The purchase price is \$100 and other considerations as listed under the provision of the Lease including all payments necessary to redeem and retire all outstanding bonds. This price includes without limitations, the payment of all outstanding principal, interest, and call premiums, and all other expenses of redemption, and trustee fees, after the deduction of any amounts provided for in the Lease and available for such redemption. The redemption of the Bonds and reconveyance of the financed property to Brittain Machine, Inc., will cut off further IRB-based tax abatement for the financed property, so that it will return to the tax rolls.

Motion --
-- carried

Knight moved that the Resolution be adopted and the Mayor be authorized to sign the necessary documents. Motion carried 7 to 0.

RESOLUTION NO. R-99-031

A Resolution authorizing the City of Wichita, Kansas, to convey certain real property to Brittain Machine, Inc., and prescribing the form of and authorizing the execution and delivery of certain documents in connection therewith, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Ferris, Gale, Kamen, Lambke, Rogers, Knight.

ORDINANCES

SECOND READING ORDINANCES: (First read January 12, 1999)

(Item No. 40a)

a. CPO Elections upon redistricting.

ORDINANCE NO. 44-135

An Ordinance amending Section 2.60.030 of the code of the City of Wichita pertaining to neighborhood council elections; and repealing the original of said section, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Ferris, Gale, Kamen, Lambke, Rogers, Knight.

(Item No. 40b)

b.

A 98-31 - Annexation of land generally located south of K-96 and north of Kellogg, between Greenwich Road and 127th Street East. (District II)

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ORDINANCE NO. 44-134

An Ordinance including and incorporating certain blocks, parcels, pieces, and tracts of land within the limits and boundaries of the City of Wichita, Kansas, and relating thereto read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Ferris, Gale, Kamen, Lambke, Rogers, Knight.

PLANNING AGENDA

The Director of Planning said all Items could be considered as consensus Items unless there were others to be withheld.

Motion --
-- carried

Knight moved that all Items be considered as consensus Items. Motion carried 7 to 0.

(Item No. 41)
S/D 98-58

S/D 98-58 - PLAT OF WILDWOOD ACRES ADDITION LOCATED ON THE NORTHEAST CORNER OF HILLSIDE AND 69TH STREET NORTH.

Agenda Report No. 99-076.

MAPC Recommendation: Approve the Plat.
Staff Recommendation: Approve the Plat.

This 13-lot plat is zoned RR, Rural Residential. This site is in the County within three miles of the City's boundary.

The Health Department has approved the site for the use of on-site sanitary sewer and water facilities. However, the approval has included a requirement for the submittal of a restrictive covenant prohibiting development on Lot 12 until such time as further testing determines the site is acceptable for on-site sewage facilities or public sewer becomes available. A guarantee has been provided for the installation of the new streets.

This plat has been reviewed and approved by the Planning Commission, subject to conditions and recording within thirty (30) days.

Motion --
-- carried

Knight moved that the Document and Plat be approved and the mayor be authorized to sign the necessary documents. Motion carried 7 to 0.

(Item No. 42)
S/D 98-77

S/D 98-77 - PLAT OF NORTHRIDGE LAKES PATIO HOMES ADDITION LOCATED ON THE EAST SIDE OF TYLER ROAD, NORTH OF 21ST STREET NORTH. (District V)

Agenda Report No. 99-077.

MAPC Recommendation: Approve the Plat.
Staff Recommendation: Approve the Plat.

This 23-lot replat is zoned SF-6, Single-Family Residential.

Petitions, 100%, have been submitted for City water, sanitary sewer, and paving improvements. A Certificate of Petitions has also been submitted. In order to provide for the ownership and maintenance of the reserves, the applicant has submitted a restrictive covenant. To provide for off-street parking for lots adjacent to narrow streets, a covenant has also been submitted requiring that four (4) off-street parking spaces be provided for each lot. In order to allow for the plating of a street with a narrow or nonstandard right-of-way dedication, a 15- foot street, drainage, and utility easement was platted with a covenant restricting the use of easements. A respread agreement for special assessments has also been submitted.

This plat has been reviewed and approved by the Planning Commission, subject to conditions and recording within thirty (30) days.

The Certificate of Petitions and restrictive covenants will be recorded with the Register of Deeds.

100 Percent petitions for water, sewer and paving.

Motion --

Knight moved that the Petitions be approved and the Resolutions be adopted; the documents be received and filed and recorded with the Register of Deeds; the plat be approved as recommended and the Mayor be authorized to sign. Motion carried

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-- carried

7 to 0.

RESOLUTION NO. R-99-042

Resolution of findings of advisability and Resolution authorizing construction of Water Distribution System Number 448-89362 (north of 21st, east of Tyler) in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Ferris, Gale, Kamen, Lambke, Rogers, Knight.

RESOLUTION NO. R-99-043

Resolution of findings of advisability and Resolution authorizing construction of Lateral 423, Southwest Interceptor Sewer (north of 21st, east of Tyler) Project No. 468-82958 in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Ferris, Gale, Kamen, Lambke, Rogers, Knight.

RESOLUTION NO. R-99-044

Resolution of findings of advisability and Resolution authorizing improving of Northridge Court from the south line of Northridge to and including the cul-de-sac, Project No. 472-83065 (north of 21st, east of Tyler) in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Ferris, Gale, Kamen, Lambke, Rogers, Knight.

(Item No. 43)

S/D 98-83

S/D 98-83 - PLAT OF AUBURN HILLS 7TH ADDITION LOCATED SOUTH OF MAPLE ONE-HALF MILE, EAST OF 135TH STREET WEST. (District V)

Agenda Report No. 99-078.

A zone change (Z-3279) from SF-6, Single-family to MF-29, Multi-family zoning and Protective Overlay (P-O 38) which imposed restrictions on architectural controls, building size and landscaping have been approved for this site, subject to platting.

The plat has been reviewed and approved by the Planning Commission, subject to conditions and recording within thirty (30) days. Publication of the ordinance should be withheld until such time as the Plat is recorded with the Register of Deeds.

Petition, 100%, guaranteeing the extension of city water has been submitted. Clubhouse improvements have also been guaranteed. A Certificate of Petitions has provided. A notice of the protective overlay has also been submitted. Dedication, by separate instrument, of additional right-of-way to provide for the relocation of 135th Street West has been submitted, and is being processed by the Department of Public Works.

The Certificate of Petitions and notice of protective overlay will be recorded with the Register of Deeds.

Motion --

Knight moved that the Petition be approved and the Resolutions be adopted; the documents be received and filed and recorded with the Register of Deeds; the plat be approved as recommended and the Mayor be authorized to sign.

Motion carried

-- carried

7 to 0.

RESOLUTION NO. R-99-033

Resolution of findings of advisability and Resolution authorizing construction of Water Distribution System No. 448-89359 to serve Auburn Hills 7th, 8th, and 9th Additions and unplatted tracts (along 135th Street West) in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Ferris, Gale, Kamen, Lambke, Rogers, Knight.

ORDINANCE

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by Section 28.04.210, the Code of the City of Wichita, Kansas, introduced and under the rules laid over. Z-3279

S/D 98-112

S/D 98-112 - PLAT OF AUBURN HILLS 8TH ADDITION LOCATED ONE-HALF MILE NORTH OF

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KELLOGG AVENUE, EAST OF 135TH STREET WEST. (District V)

Agenda Report No. 99-079.

MAPC Recommendation: Approve the Plat.
Staff Recommendation: Approve the Plat.

This plat tracing is a portion of the larger overall preliminary Auburn Hills 6th Addition. The site is zoned SF-6, Single-family Residential.

Petitions, 100%, have been provided for sanitary sewer extensions, water main extensions, interior street pavement, storm water installation, 135th Street paving, 135th Street water extensions and clubhouse improvements. A certificate of petitions has been provided. Restrictive covenants providing four off-street parking spaces per dwelling unit; and for the creation of reserve areas and the formation of a homeowners association have also been submitted. A right-of-way dedication, by separate instrument, for the relocation of 135th Street West has been submitted, and is being processed by the Department of Public Works.

The Certificate of Petitions and restrictive covenants will be recorded with the Register of Deeds.

Motion --

Knight moved that the Petitions be approved and the Resolutions be adopted; the documents be received and filed and recorded with the Register of Deeds; the plat be approved as recommended and the Mayor be authorized to sign. Motion carried

-- carried

7 to 0.

RESOLUTION NO. R-99-033

Resolution of findings of advisability and Resolution authorizing construction of Water Distribution System Number 448-89360 to serve Auburn Hills 8th Addition (south of Maple, east of 135th Street West) in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Ferris, Gale, Kamen, Lambke, Rogers, Knight.

RESOLUTION NO. R-99-034

Resolution of findings of advisability and Resolution authorizing construction of Lateral 1, Main 2, Cowskin Interceptor Sewer, (south of Maple, east of 135th Street West) Project No. 458-82953 in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Ferris, Gale, Kamen, Lambke, Rogers, Knight.

RESOLUTION NO. R-99-035

Resolution of findings of advisability and Resolution authorizing construction of Lateral 2, Main 2, Cowskin Interceptor Sewer (south of Maple, east of 135th Street West) Project No. 468-82954 in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Ferris, Gale, Kamen, Lambke, Rogers, Knight.

RESOLUTION NO. R-99-036

Resolution of findings of advisability and Resolution authorizing construction of Storm Water Sewer No. 522 (south of Maple, east of 135th Street West) Project No. 468-82956 in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Ferris, Gale, Kamen, Lambke, Rogers, Knight.

RESOLUTION NO. R-99-045

Resolution of findings of advisability and Resolution authorizing improving of Hayden from the east line of 135th Street West, east, southeast, and east to the east line of Hayden Circle, and on Sandtrap, from the east line of Hayden, north, and west to the north line of Hayden, and Sandtrap Court, from the north line of Sandtrap, north to and including the cul-de-sac, on Hayden Court, east to and including the cul-de-sac, Project No. 472-83063 (south of Maple, east of 135th Street West) in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Ferris, Gale, Kamen, Lambke, Rogers, Knight.

RESOLUTION NO. R-99-037

Resolution of findings of advisability and Resolution authorizing improving of Links Street from the east line of 135th Street West, east, south, east, north, and back west to the east line of 135th Street West, and; Links Court from the north line of Links Street north to and including the cul-de-sac, Project No. 472- 83064 (south of Maple, east of

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135th Street West) in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Ferris, Gale, Kamen, Lambke, Rogers, Knight.

S/D 98-113

S/D 98-113 - PLAT OF AUBURN HILLS 9TH ADDITION LOCATED EAST OF 135TH STREET WEST, ONE-HALF MILE NORTH OF KELLOGG AVENUE. (District V)

Agenda Report No. 99-079.

MAPC Recommendation: Approve the Plat.
Staff Recommendation: Approve the Plat.

The site was part of the overall preliminary Auburn Hills 6th Addition, and is currently zoned SF-6, Single-family Residential.

Petitions, 100%, have been submitted for: sanitary sewer, water main, interior paving, storm water, 135th Street West pavement, 135th Street water main and clubhouse improvements. A Certificate of Petitions has been submitted. Restrictive covenants concerning restrictions on placing certain structures in utility easements; provision of four off-street parking spaces dwelling units; and creation of a home owners association have been provided. A dedication, by separate instrument, for the relocation of 135th Street West is being process by the Department of Public Works.

The plat has been reviewed and approved by the Planning Commission, subject to conditions and recording within thirty (30) days.

The Certificate of Petitions and restrictive covenants will be recorded with the Register of Deeds.

Motion --

Knight moved that the Petitions be approved and the Resolutions be adopted; the documents be received and filed and recorded with the Register of Deeds; the plat be approved as recommended and the Mayor be authorized to sign. Motion carried 7 to 0.

-- carried

RESOLUTION NO. R-99-038

Resolution of findings of advisability and Resolution authorizing construction of Water Distribution System Number 448-89361 (south of Maple, east of 135th Street West) in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Ferris, Gale, Kamen, Lambke, Rogers, Knight.

RESOLUTION NO. R-99-039

Resolution of findings of advisability and Resolution authorizing construction of Lateral 3, Main 2, Cowskin Interceptor Sewer (south of Maple, east of 135th Street West) Project No. 468-82955 in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Ferris, Gale, Kamen, Lambke, Rogers, Knight.

RESOLUTION NO. R-99-040

Resolution of findings of advisability and Resolution authorizing construction of Storm Water Sewer No. 523 (south of Maple, east of 135th Street West) Project No. 468-82957 in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Ferris, Gale, Kamen, Lambke, Rogers, Knight.

RESOLUTION NO. R-99-041

Resolution of findings of advisability and Resolution authorizing improving of 135th Street West from a point ½ mile north of US Highway 54, north to the south line of Maple, together with a left turn lane to serve the clubhouse; sidewalk along both sides of 135th Street West; Golf Cart Tunnel under 135th Street West and; accel/decel lanes to serve the properties, Project No. 472-83062 (along 135th Street West, south of Maple) in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Ferris, Gale, Kamen, Lambke, Rogers, Knight.

(Item No. 46)
A 99-3

A 99-3 - REQUESTS THE ANNEXATION OF PROPERTY GENERALLY LOCATED 1/4 MILE SOUTH OF PAWNEE AND 1/4 MILE WEST OF WEBB ROAD. (District II)

Agenda Report No. 99-081.

This property lies approximately ¼ mile south of Pawnee, ¼ mile west of Webb Road on Cypress Street. Ms. Jacoby

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requests annexation of approximately 13.9 acres of undeveloped land in order to develop 53 single-family dwellings. The property owner has submitted the final plat for consideration by the Wichita City Council.

Land Use and Zoning: The entire site is undeveloped, zoned "SF-20" and is almost completely surrounded by the City. Land directly to the north, south, east and west of the site is zoned "SF-6" Single Family Residential. The unincorporated land to the southeast of the site is zoned "SF-20" Single Family Residential. The general character of surrounding area is residential

The City Engineer's office indicates that there are existing water and sewer service lines in areas abutting the proposed site. Petitions, 100%, have been submitted for City water, sanitary sewer, storm sewer and paving improvements.

The area proposed for annexation will have access to Webb Road, a two-lane improved section line road, which serves the area as the nearest major north-south arterial road. The site will also have access to Pawnee, a two-lane improved section line road, which is the nearest major east-west street.

The Wichita Fire Department can serve this site with a six (6) minute approximate response time from Station #15 located at 7923 E. Lincoln. Upon annexation, police protection will be provided to the area by the Patrol East Bureau of the Wichita Police Department, headquartered at 350 South Edgemoor.

Towne Park, a 4.34 acre neighborhood park, is located less than an _ of a mile southwest of property. The park can be accessed via West Parkway.

The property is located in Unified School District 260 (Derby School District). Annexation will not change the school district.

This property is located within the urban growth area of the City of Wichita as shown in the 1996 amended Comprehensive Plan for the metropolitan area. It is located outside of the Policy 32 urban service area.

The property proposed for annexation is currently vacant with no improvements. The total appraised value of the property is \$26,340; the assessed value (11.5%) of the property totals \$3,161. Therefore, at the current City levy (\$31.253/\$1000 x assessed valuation), this roughly yields \$99 in City annual tax revenues. The owner's information sheet shows plans for development which include 53 single-family dwelling units at \$77,000 per unit. According to the information submitted with the request for annexation, the staging of the development covers two years; 50% completion of the project the first year with 100% completion in the second year. If development goes as planned and assuming the current City levy does not change, the property should yield approximately \$7,195 in City annual tax revenue the first year, and \$14,668 in City annual tax revenue at the completion of the project.

The property is eligible for annexation under K.S.A. 12-520 (7).

>Motion --
-- carried

Knight moved that the annexation request be approved and the annexation Ordinance be placed on first reading. Motion carried 7 to 0.

ORDINANCE

An Ordinance including and incorporating certain blocks, parcels, pieces, and tracts of land within the limits and boundaries of the City of Wichita, Kansas, and relating thereto, introduced and under the rules laid over. A-99-3

EXECUTIVE SESSION

Motion --
-- carried

Knight moved that the Council recess to executive session to consider consultation with legal counsel on matters privileged in the attorney-client relationship relating to pending and potential litigation, legal advice, and matters relating to employer-employee negotiations, and the regular meeting be resumed no later than 1:15 p.m. in the City Council Chambers. Motion carried 7 to 0.

RECESS

Council recessed at 12:04 p.m. and reconvened in regular session at 1:17 p.m.

Mayor Knight

Mayor Knight announced that no action was necessary as a result of the executive session.

ADJOURNMENT

The City Council meeting adjourned at 1:17 p.m.

Pat Burnett
City Clerk

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